

APRIL 1 1991

Hi JOE.

How ARE you doing. Very Busy

I'M SURE. I hope thing ARE going good  
ON your New Job.

I SAW your PICTURE IN The PAPER The  
other day AND IT MADE ME THINK OF A Few  
Things. Some Idea's you <sup>may</sup> be interested IN.

① Remember THAT UNION day PARADE we had  
IN BOSTON A Few years BACK. THAT WAS good  
IT put Good Feeling IN peoples hearts. AND  
MADE US Feel PROUD TO BE UNION. I THINK  
BOSTON COULD USE THAT KIND OF EVENT, AGAIN. A  
Good REASON FOR people IN ALL UNIONS TO get TOGETHER  
FOR A FUN TIME. WHAT do you THINK

② When Ques 2 was going ON THERE Seemed  
TO BE GREAT Repair BETWEEN All local UNIONS.  
NOT JUST AT The upper levels, BUT AT The  
INDIVIDUAL level. THAT dose seem TO BE ANYMORE.  
THERE should SOME efforts TO TRY TO get IT  
BACK FOR The good OF All LOCALS.

MAYBE SOME SORT meeting AT lower  
levels - OR HOW ABOUT UNION day AT  
FENWAY PARK. All UNIONS Fill The PARK




③

I HAVE SOME EXTRA TIME ON MY HANDS. KATHY. SO I WAS THINKING THAT THAT IF YOU COULD USE A VOLUNTEER. TO PERFORM A FEW TASKS I'D BE GLAD TO HELP OUT.

THANK FOR READING THIS  
AND IF YOU <sup>CAN</sup> USE ME JUST LET ME KNOW. TUESDAY IS MY BEST DAY

Bob. McLean  
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WAKEFIELD. MA 01880  
617-246-3525



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**Remarks of AFL-CIO President Lane Kirkland  
to the Mid-America Committee Luncheon  
March 26, 1991  
Chicago, Illinois**

Thank you for allowing me to present a trade union perspective on some of the vital issues of the day.

Your willingness to hear and consider that perspective--as well as your decision to include the likes of Chicago Federation of Labor President Bob Healey in your ranks--speaks volumes about the Mid-America Committee and the type of business leadership for which it stands.

It says something about your determination to include working people in the task of building a brighter economic future and a better quality of life for all who live and work in this region.

That's certainly worth noting in an era when news coverage in the national arena of labor-management relations gravitates toward pitched battles and open warfare, thereby ignoring the many who live by agreement and who place their faith in the collective bargaining process as the preferred means of settling disputes between workers and their employers.

And if you really do believe in true labor-management cooperation--which necessarily entails the rights of workers to organize for a genuine voice on the job and to freely choose union representation--then I think we ought to nurture and develop our relationship because such views are fast disappearing from the ranks of American business management.

Believe me, I mean no offense or discourtesy to any of you who recognize these rights. But the law of the land is not intended to leave management with a choice in the matter. It makes clear that the worker's right to collective action is absolute and must be recognized.

Common sense, however, tells us that the law in any free society depends less on the police power than on the pervasive spirit of voluntary compliance for the common good--a spirit based on good citizenship and ethics. But what happens when the exemplars of society--and certainly corporate management is included in their number--decide that business convenience argues otherwise?





From our perspective, we see that spirit fast eroding in the management community and particularly in the associations, organs and tribunes of business enterprise. In recent years, we in the trade union movement have found ourselves under a state of siege from those who have determined unilaterally that the laws aimed at upholding worker rights no longer serve the nation's interests--meaning, of course, their own interests.

The attacks on trade unionism are especially disconcerting when you consider our movement's recognition of the fundamental realities of doing business in today's economy and the need for enterprises to be productive and profitable.

The bottom line is that trade unionists want to work for companies that make money, and you won't find us launching a campaign to bring down the curtain on economic freedom.

But how else is one to describe the recent proliferation of lawyers, lobbyists, investigators and other hired guns whose stock in trade is showing companies how to bend and break labor laws and get away with it?

The fact that there are so many of them should put to rest the canard that unions are dying. Otherwise, employers would not devote so great a share of their resources to trying to evade, undermine, destroy or contrive specious substitutes for them.

Clearly, however, the rise of the "union avoidance" industry is indicative of a larger poison that has entered the well in recent years.

In our experience, a mutually-acceptable collective bargaining agreement is the product of face-to-face relationships between trade unionists and the people who have positions of responsibility within a firm--that is, people who came up through the ranks of the company and who really care about its future.

Increasingly, though, we find ourselves dealing with individuals who regard a firm as little more than an asset to be put into play. To them, often, compliance with labor laws is simply a bookkeeping matter. The fines or penalties they may eventually have to pay are negligible compared to capturing the right to operate union-free and not having to go through the awkward necessity of bargaining in good faith.

That goal is becoming increasingly fashionable, as evidenced in a recently-published NAM manual entitled "Remaining Union-Free, A Supervisor's Guide."

Its message to member employers is forthright: unions are bad for business and keeping them out is smart.





Quoting from it: "Bargaining reduces the company's ability to react to changes in the marketplace."

Their answer? Again I quote: "Campaign against a union seeking to represent the employees."

Now I submit that in a free and democratic society, the decision of whether or not to organize and seek representation by unions of their own choosing properly belongs exclusively to the workers themselves, free from employer influence and coercion.

That's what freedom of association is all about. If that is no longer the policy of this nation, then we should declare that this is the one democratic country in the world that does not promote collective bargaining as the means of providing a genuine voice to working people.

Sadly, the growing use of so-called "permanent replacement" workers in strikes has already moved us a giant step in that direction.

Although workers are protected by law from being discharged in any labor dispute, a loophole in the law allows them to be "permanently replaced" when they strike.

Of course, to the worker there is no detectable difference. But that loophole in the law--the use of which is, in fact, touted in the NAM manual and various other management publications--has for many employers become a highly seductive alternative to the often arduous task of negotiating a contract and a chance to reestablish dictatorial control of the workplace. To them, it can be an incentive to provoke a strike in order to be able to replace union workers with a more pliant, non-union workforce.

Yet our effort to persuade Congress to overturn the "permanent replacement" doctrine has been met with stiff resistance from employers and their allies, who say it would destroy the "delicate balance" that now exists between labor and management.

You'll excuse me for wondering out loud what in the world they're talking about. The only balance I can find is perhaps best described by the last words of that famous old gunfighter of the Wild West, Bat Masterson, who was supposed to have said:

"There are many in this old world of ours who hold that everybody gets about the same break in life, and that may be true. I have observed, for example, that everyone gets about the same amount of ice. The rich get it in the summer, and the poor get it in the winter."

The so-called "balance" that now exists--the one that enables employers to wield the "permanent replacement" weapon with



impunity--has brought havoc to industrial relations in this country. It threatens not only the collective bargaining system but the long-term vitality of the national economy, which depends on true labor-management cooperation based on mutual respect for the legitimate rights of both parties and fidelity to the basic intent of the law.

It is, perhaps, most ironic that the efforts of some to avoid these responsibilities are undertaken in the name of better profitability and productivity.

A study by the W.E. Upjohn Institute for Employment Research provides compelling evidence that union-busting is anything but smart business.

Researchers looked at 56 unionized companies, the number divided equally between those which had forcefully expelled unions and those which had embarked on cooperative programs with them. The results showed that the employers who worked with their unions reported a 19-percent increase in employee productivity over ten years. And those who chose union-busting reported a 15-percent decline in productivity over the same period.

This study is more than a vindication of trade unionism, it is a compelling argument for why we need a collective bargaining system in this country. We know this process is not a gravy train for unions, but rather a method of solving problems by addressing them mutually so that each side can make appropriate contributions to the resolution. It does not always yield great increases or continual improvements for workers. Sometimes it involves great sacrifices in order to rescue a failing company and save jobs.

Chrysler, for example, could not have been saved and would not exist had it not been for the sacrifices and the investment of time and deferred wages that the UAW provided. The union's help was also critical in winning Congressional approval of the bailout package that saved the company.

Over the years, similar labor-management cooperation has rescued enterprises in the steel, textile, rubber and construction industries.

In many other cases, such cooperation beyond the negotiating table is critical to addressing serious national problems that the collective bargaining process alone cannot be expected to solve.

Our pressing health care problems are a good case-in-point. The soaring cost of medical services has now put them out of the reach of a rapidly growing number of Americans. Access to health care is no longer a problem relegated to the fringes of society. It's hitting directly at the solid, working middle-class--people





who do their level best to pay their bills and meet their obligations.

In the trade union movement, we have felt the pressures in the ranks of our membership and at the bargaining table, where health care is a chief issue in negotiations on virtually every collective agreement. We estimate that three-quarters of all trade unionists who strike are doing so in a dispute over the health care issue.

The AFL-CIO places the utmost priority on urging Congress to enact a program of national health care reform, and our Executive Council has approved a policy that gives the federation the latitude and the flexibility to work out a program that will advance us toward the goals we seek while securing the breadth of support we need to ensure its passage.

We fully expect that the final plan will be supported by organized labor, organized medicine and some, at least, in the mainstream of corporate America.

Clearly, we've entered a new era of pragmatism, dialogue and cooperation with respect to health care reform. Gone are the hardened attitudes and political posturing. We in labor now find ourselves allied with some of the nation's biggest corporations on the premise that something has to be done to contain health care costs while working to expand access and improve the quality of care.

In the coming weeks, we will negotiate with members of Congress and all in the business community who share our basic goals--with an eye toward early enactment of a national health care reform program that will help us achieve the healthy and productive workforce we'll need in the next century.

Business and labor also face the challenge of rebuilding and reinvigorating a flagging education and training system that poses a threat to our industrial competitiveness in the world.

The experts predict that by the year 2000, more than 70 percent of American jobs will not require a college education. While pressing on with our efforts to better prepare our children for college, we also need to establish new relationships between school and work--relationships aimed at improving worker training, raising standards and providing students with a greater variety of career skills.

We will continue to assert labor's role in defining American values and ethics in the new world economic order--an era in which vast amounts of capital can be moved across borders at the mere push of a computer button, and where flagless, stateless corporations exact their profits by roaming the world in search of the cheapest and most repressed labor.





In so doing, we seek to protect working men and women at home and abroad from the crudest forms of exploitation. We know from experience that labor is not mobile, that it is rooted in communities of people. We believe their interests are best served by the international solidarity of workers as a means of voicing the natural aspirations of men and women for freedom, justice, dignity and a better life.

We know these ideals are not handed down from up high. They do not come down from the governing classes. Their sources are not in the counting-houses, nor in the ministries, courts and embassies of the elite. Rather, they are in the streets, workplaces and wherever plain people rise to their feet and assert and demand their rights.

The right to associate and the right to collective action at the workplace have been important issues in the emergence and growth of democracy around the world, and in fact have been the wellspring from which freedom and democracy have asserted themselves.

In recent years, we have seen this demonstrated with stunning effectiveness at the shipyard in Gdansk, at Wenceslaus Square, in the factories of Santiago, by black trade unionists in South Africa, and by the workers and students who gathered in Tiananmen Square to look down the barrel of a gun.

It was invoked by the miners who came up from underground in the Soviet Union to voice their aspirations. And it now seeks fulfillment in the streets of Vilnius, Riga, and Tallinn.

The momentous events of the recent past have dramatized the validity of our conviction that the free interaction of social institutions is the real foundation of our rights and liberties. As always, we invite you to help us keep those institutions strong and free.

Thank you, and I'll be happy to answer your questions.



United States Senate

WASHINGTON, D.C. 20510

March 5, 1991

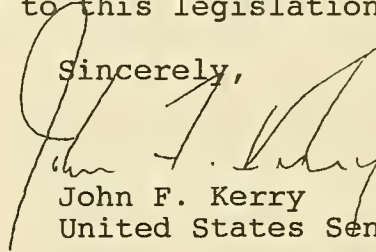
Dear Friend:

Knowing of your interest and expertise in matters affecting the economy of Massachusetts and the country, I would like to inform you of the legislation that I am introducing in the United States Senate to reform the capital gains tax code.

In these difficult times, it is imperative that we all seek ways to encourage renewed economic growth. One important way that I believe the Federal government can fight the recession is to encourage investment in small and high risk companies. By lowering the tax rate on gains in small and high risk ventures held for long periods of time, my bill will begin to attract funds into investments that will pay off in jobs and income for the state.

My bill reflects a new approach to the issue of preferential tax treatment of capital gains. I am confident that it will be considered by my colleagues and the Administration. I would be very interested in your response to this legislation.

Sincerely,

  
John F. Kerry  
United States Senator

Enclosure  
JFK/tt





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 102<sup>d</sup> CONGRESS, FIRST SESSION

Vol. 137

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No. 29

## Senate

By Mr. KERRY:

**S. 467.** A bill to amend the Internal Revenue Code of 1986 to restore a capital gains tax differential for small and high-risk business stock held for more than 5 years; to the Committee on Finance.

### SMALL AND HIGH-RISK BUSINESS INVESTMENT ACT

● Mr. KERRY. Mr. President, I rise today to introduce the Small and High-Risk Business Investment Act of 1991. This legislation would establish a two-tiered tax rate structure for investments in new, small, and emerging businesses that are held for a specified length of time.

Mr. President, as many of my colleagues know, the entire Northeast

region is in the midst of a severe economic downturn. In Massachusetts, the lack of available capital threatens to aggravate the recession. Banks, faced with large loan losses and tougher capital standards, are shutting off credit lines to sound business opportunities and even to reliable, credit-worthy customers. As a result, many small companies and new businesses find themselves without the investment capital necessary to expand and contribute to the growth of the regional and national economy.

On January 28, 1991, Gov. William Weld and I held a day-long economic conference in Boston to gather our State's banking, public, business, and academic leaders and to hear first hand their views on how best to get the Massachusetts economy moving again. Perhaps the most vital issue raised by conference participants was the urgency of finding new ways to get capital flowing into Massachusetts again. Capital must be available to small companies today if they are to grow into the large employers of tomorrow.

Mr. President, I introduce this legislation to address that particular concern and also to correct one aspect of the Tax Reform Act of 1986 which I believe has contributed, in part, to a general decline in the availability of investment capital for small businesses.

However, unlike President Bush, I do not believe a broad-based cut in the capital gains tax represents the best way to promote job-creating initiatives. My bill, by establishing a two-tier tax rate structure that distinguishes the type and holding period of a qualified investment, will encourage the flow of capital into emerging growth companies and set the stage for future income growth and job creation.

For direct equity investments in businesses worth \$100 million or less, my bill will lower the tax rate on capital gains to 15 percent after a 5-year holding period. After a 10-year holding period, the tax rate decreases to 10 percent.

For investments in high-risk or emerging companies worth \$10 million or less, the tax rate on capital gains will start at 10 percent after a 5-year holding period and decrease to 5 percent after 10 years.

I believe the institution of this two-tiered capital gains differential will encourage increased investment in the startup and expansion of small- and medium-sized businesses. This kind of targeted approach is vital and fair—one that encourages capital formation and rewards patient capital.

Mr. President, I would also like to make another distinction between my proposal and President Bush's across-the-board capital gains tax cut. My approach does not have the regressive income distributional effect. By limiting the tax cut to certain types of investments, my bill excludes profits

from short-term paper investments and targets long-term job producing investment. Thus, the cost to U.S. taxpayers and the regressive consequences are limited.

Last, I want to emphasize how important this measure is in terms of addressing the deepening concerns in Massachusetts and throughout the Northeast regarding the lack of available capital. I urge my colleagues to join me in supporting this narrowly targeted incentive to get capital flowing in this Nation's economy again.



Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Small and High-Risk Business Investment Act of 1991".

**SEC. 2. ALTERNATIVE TAX RATES ON CAPITAL GAINS FROM CERTAIN SMALL AND HIGH-RISK BUSINESS STOCK.**

**(a) TAXPAYERS OTHER THAN CORPORATIONS.—**

(1) **IN GENERAL.**—Part I of subchapter P of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 1201 the following new section:

**"SEC. 1202. ALTERNATIVE RATES FOR CAPITAL GAINS ON SMALL AND HIGH-RISK BUSINESS STOCK HELD BY TAXPAYERS OTHER THAN CORPORATIONS.**

"(a) **GENERAL RULE.**—If for any taxable year a taxpayer other than a corporation has a small business stock net capital gain, then in lieu of the tax imposed by section 1, there is hereby imposed a tax (if such tax is less than the tax imposed by section 1) in an amount equal to the sum of—

"(1) a tax computed on the taxable income, reduced by the amount of small business stock net capital gain, at the rates and in the manner as if this subsection had not been enacted, plus

"(2) the tax on small business stock net capital gain determined under subsection (b).

"(b) **TAX ON SMALL BUSINESS STOCK NET CAPITAL GAIN.**—The tax under this subsection shall be the sum of the amounts determined in accordance with the following table:

<b>"In the case of:</b>	<b>The tax is:</b>
10-year high-risk gain.....	5 percent
5-year high-risk gain.....	10 percent
10-year small business gain.....	10 percent
5-year small business gain.....	15 percent.

"(c) **DEFINITIONS.**—For purposes of this section—

"(1) **SMALL BUSINESS STOCK NET CAPITAL GAIN.**—The term 'small business stock net capital gain' means the lesser of—

"(A) the net capital gain for the taxable year, or

"(B) the net capital gain for the taxable year determined by taking into account only gain or loss from qualified small business stock which has been held for more than 5 years.

"(2) **10-YEAR HIGH-RISK GAIN.**—The term '10-year high-risk gain' means the lesser of—

"(A) the net capital gain for the taxable year, or

"(B) the net capital gain for the taxable year by taking into account only gain or loss from high-risk business stock held for 10 years or more.

"(3) **5-YEAR HIGH-RISK GAIN.**—The term '5-year high-risk gain' means the lesser of—

"(A) the net capital gain for the taxable year, reduced by 10-year high-risk gain, or

"(B) the net capital gain for the taxable year determined by taking into account only gain or loss from high-risk business stock held for 5 years or more but less than 10 years.

"(4) **10-YEAR SMALL BUSINESS GAIN.**—The term '10-year small business gain' means the lesser of—

"(A) the net capital gain for the taxable year, reduced by 5-year high-risk gain and 10-year high-risk gain, or

"(B) the net capital gain for the taxable year determined by taking into account only gain or loss from qualified small business stock (other than high-risk business stock) held for 10 years or more.

"(5) **5-YEAR SMALL BUSINESS GAIN.**—The term '5-year small business gain' means the lesser of—

"(A) the net capital gain for the taxable year, reduced by 5-year high-risk gain, 10-year high-risk gain, and 5-year small business gain, or

"(B) the net capital gain for the taxable year determined by taking into account only gain or loss from qualified small business stock (other than high-risk business stock) held for 5 years or more but less than 10 years.

"(6) **QUALIFIED SMALL BUSINESS STOCK.**—

"(A) **IN GENERAL.**—The term 'qualified small business stock' means stock which—

"(i) is issued by a qualified small business after the date which is 6 months after the date of the enactment of this section,

"(ii) is first acquired (whether directly or through an underwriter) by the taxpayer, and

"(iii) is not issued in redemption of (or otherwise exchanged for) stock not issued during the period described in clause (i).

"(B) **QUALIFIED SMALL BUSINESS.**—For purposes of subparagraph (A)—

"(i) **IN GENERAL.**—The term 'qualified small business' means a corporation the paid-up capital of which immediately after the date of issuance described in subparagraph (A) is \$100,000,000 or less.

"(ii) **ACTIVE TRADE OR BUSINESS REQUIREMENT.**—A corporation shall not be treated as a qualified small business unless such corporation—

"(I) was engaged in the active conduct of a trade or business during the 5-year period ending on the date of issuance described in subparagraph (A) (or if shorter, its period of existence), and

"(II) is so engaged immediately after such date.

"(iii) **EXCEPTION FOR PERSONAL SERVICE CORPORATIONS.**—The term 'qualified small business' shall not include a personal service corporation (within the meaning of section 269A(b)(1)).

"(7) **HIGH-RISK BUSINESS STOCK.**—The term 'high-risk business stock' means stock which is qualified small-business stock under paragraph (6) determined by substituting '\$10,000,000' for '\$100,000,000' in subparagraph (B)(i) thereof."

(2) **MAXIMUM RATE.**—Subsection (h) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"(h) **MAXIMUM CAPITAL GAINS RATE.**—

"(1) **IN GENERAL.**—If a taxpayer has a net capital gain for any taxable year, then the



tax imposed by this section shall not exceed the sum of—

“(A) a tax computed at the rate and in the same manner as if this subsection had not been enacted on the greater of—

“(i) taxable income reduced by the amount of the net capital gain, or

“(ii) the amount of taxable income taxed at a rate below 28 percent, plus

“(B) a tax of 28 percent of the amount of taxable income in excess of the amount determined under subparagraph (A).

“(2) SPECIAL RULE WHERE TAXPAYER HAS SMALL BUSINESS STOCK NET CAPITAL GAIN.—

“(A) IN GENERAL.—If a taxpayer has a small business stock net capital gain for any taxable year, then the tax imposed by this section shall not exceed the lesser of—

“(i) the amount determined under paragraph (1), or

“(ii) the sum of—

“(I) the amount determined under paragraph (1) without taking into account small business stock net capital gain for purposes of subparagraphs (A) and (B) thereof, plus

“(II) the amount determined under section 1201(b).

“(B) SMALL BUSINESS STOCK NET CAPITAL GAIN.—For purposes of this paragraph, the term ‘small business stock net capital gain’ has the meaning given such term by section 1202(c).”

(b) CORPORATIONS.—Section 1201 of the Internal Revenue Code of 1986 is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

“(b) QUALIFIED SMALL BUSINESS STOCK NET CAPITAL GAIN.—

“(1) IN GENERAL.—If for any taxable year a corporation has a small business stock net capital gain, then—

“(A) in lieu of the tax imposed by section 11, 511, or 831 (a) or (b) (whichever is applicable), there is hereby imposed a tax (if such tax is less than the tax imposed by such sections) in an amount equal to the sum of—

“(i) a tax computed on the taxable income reduced by the amount of the small business stock net capital gain, at the rates and in the manner as if this subsection had not been enacted, plus

“(ii) a tax on the small business stock net capital gain determined in the same manner as under section 1202(b), and

“(B) paragraph (2) of subsection (a) shall be applied as if it read as follows:

“(2) a tax equal to the sum of—

“(A) the amount determined under clause (ii) of subsection (b)(1)(A), plus

“(B) 34 percent of the net capital gain, reduced by small business stock net capital gain.”

“(2) SMALL BUSINESS STOCK NET CAPITAL GAIN.—For purposes of this subsection, the term ‘small business stock net capital gain’ has the meaning given such term by section 1202(c).”

(c) TREATMENT AS PREFERENCE ITEM FOR MINIMUM TAX.—Section 57(a) of the Internal Revenue Code of 1986 (relating to items of tax preference under the alternative minimum tax) is amended by adding at the end thereof the following new paragraph:

“(8) CAPITAL GAINS ON SALE OF CERTAIN SMALL AND HIGH-RISK BUSINESS STOCK.—

“(A) IN GENERAL.—In the case of a taxpayer with small business stock net capital gain, an amount equal to the rate differential portion for the taxable year determined under subparagraph (B).

“(B) RATE DIFFERENTIAL PORTION.—

“(i) IN GENERAL.—The rate differential portion of 5-year high-risk gain, 10-year high-risk gain, 5-year small business gain and 10-year small business gain is the same proportion of such amount as—

“(I) the excess of the highest applicable rate over the alternative tax rate, bears to

“(II) the highest applicable tax rate.

“(ii) HIGHEST APPLICABLE TAX RATE.—The term ‘highest applicable tax rate’ means the rate determined under section 904(b)(3)(E)(ii), whichever is applicable.

“(iii) ALTERNATIVE RATE.—The term ‘alternative rate’ means the rate determined under section 1202(b).

“(C) DEFINITIONS.—For purposes of this paragraph, any term used in this paragraph which is used in section 1202 shall have the same meaning as when used in section 1202.”

(d) CONFORMING AMENDMENTS.—

(1) Paragraph (4) of section 691(c) of such Code is amended by striking “1(h), 1201, and 1211” and inserting “1(h), 1201, 1202, and 1211, and for purposes of section 57(a)(8)”.

(2) Clause (iii) of section 852(b)(3)(D) of such Code is amended by striking “66 percent” and inserting “the rate differential portion under section 904(b)(3)(E) or section 57(a)(8)(B), whichever is applicable.”

(3) Section 904(b)(3)(E) of such Code is amended by striking “1(h)” in clause (iii)(I) thereof and inserting “1(h) (without regard to paragraph (2) thereof)”.

(4) Section 1445(e)(1) of such Code is amended by striking “34 percent (or, to the extent provided in regulations, 28 percent)” and inserting “34 percent (or, to the extent provided in regulations, the alternative tax rate determined under section 904(b)(3)(E)(iii) or section 57(a)(8)(B)(iii), whichever is applicable)”.

(5) The table of sections for part I of subchapter P of chapter 1 of such Code is amended by inserting after the item relating to section 1201 the following new item:

“Sec. 1202. Alternative rates for capital gains on small and high-risk business stock held by taxpayers other than corporations.”

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to stock issued after the date which is 6 months after the date of the enactment of this Act.●





815 15th Street NW • Suite 516 • Washington, DC 20005 • (202) 639-8140

Linda F. Golodner, Executive Director

March 25, 1991

Mr. Joseph Faherty, President  
Massachusetts AFL-CIO  
8 Beacon Street, 3rd Floor  
Boston, Massachusetts 02108

Dear President Faherty:

The National Consumers League (NCL) ensures that American consumers and workers are informed and empowered regarding issues that impact their lives and often livelihood. Throughout its 92-year history, NCL has been an active partner with the labor movement in many endeavors, most recently in the fight for an increased minimum wage, strict child labor standards, medical and parental leave, health care benefits for all workers, and improved child care. To sustain NCL in its efforts, we are writing to you to request your financial support.

The following are some programs in which NCL currently shares with the labor movement a mutual commitment:

**CHILD LABOR** - NCL executive director is chair of the Department of Labor Child Labor Advisory Committee, as well as co-chair of the Child Labor Coalition which has grown to a total of 32 members representing interdisciplinary organizations. This coalition hosted a forum in May on child exploitation titled "Child Labor: From Boston to Bangladesh" featuring former Secretary of Labor Ray Marshall. Additionally, NCL released the report Working America's Children to Death, documenting workplace injury to youth. NCL presented a workshop on child labor in Mexico at the Capitol Hill Forum on the U.S.-Mexico Free Trade Agreement and testified before Congress urging their disapproval of a "fast-track authority" extension.

From drafting legislation to testifying in numerous hearings, NCL has played a vital role in proposing strengthening child labor protections on both a national and state level. States are taking an active stance in ensuring the protection of children and NCL is committed to taking a leadership role in promoting these endeavors throughout 1991.

**WORKPLACE PRIVACY** - NCL held a national conference in June on privacy titled "Privacy in the 1990s" in cooperation with the U.S. Office of Consumer Affairs. Issues such as employer monitoring, testing, and using information irrelevant to job performance were addressed. A follow-up conference on medical records is planned contingent upon available funding.

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**Officers:** Robert R. Nathan, Honorary Chairman • Esther Peterson, Honorary President • Jack Blum, President • Ruth Jordan, Vice President • Bert Seidman, Vice President • Jane King, Secretary • Barbara Warden, Treasurer





HEALTH CARE - Last year, NCL held a national conference on "Perspectives on Long Term Care," emphasizing the importance of the professional caregiver in determining health care policy. NCL published a Primer on Long-Term Care to help educate consumers. In December, NCL launched the AIDS Information Project with the publication of AIDS: WOMEN AT RISK.

FOOD AND DRUG SAFETY - NCL is a member of the Safe Food Coalition which includes UFCW, AFGE, FAST, as well as other consumer groups. NCL supports coalition efforts to work to retain inspection that assures safe and wholesome meat and poultry inspected by professional workers and opposes efforts to deregulate inspection. NCL supports mandatory inspection of seafood by inspectors with adequate whistleblower protection for the workers.

TELEMARKETING FRAUD - NCL's Alliance Against Fraud in Telemarketing has grown to a membership of 75 organizations which are committed to conducting a nationwide consumer education campaign and providing a clearinghouse on legislative proposals aimed at these frauds at all levels of government. Last January, NCL coordinated a press conference on the "Emerging Scams of the '90s." Currently, NCL is distributing The Consumer Protection Handbook, a comprehensive desktop reference on telemarketing fraud.

CLEAN AIR ACT - NCL is committed to assuring that worker safety and potential job loss issues are addressed and will work to assure that implementation of the Act is sensitive to these concerns.

GRAY MARKET - NCL supports strengthened enforcement of gray market and counterfeit regulations to prevent sale of unsafe products and reinforced this position through filing an Amicus Curaie brief in the case of Lever Brothers Company v. United States of America with the U.S. District Court.

AIRLINE SAFETY - NCL took an active role in calling media attention to the strike of Eastern workers and the concerns that consumers have in flying with that airline.

INDUSTRIAL HOMEWORK - For over fifty years, NCL has worked with the ILGWU and others in the AFL-CIO to support a ban on industrial homework. NCL will continue this commitment in 1991.

We appreciate your past contributions which have included funds for operating expenses and support for League events. This year, NCL plans to devote additional resources in the Child Labor Coalition's endeavors in eliminating the growing problem of child labor abuses, in which FLSA

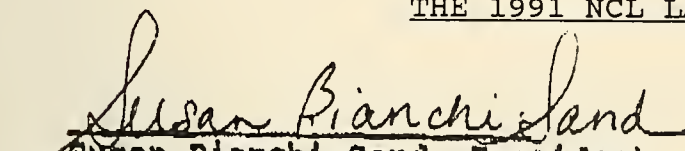


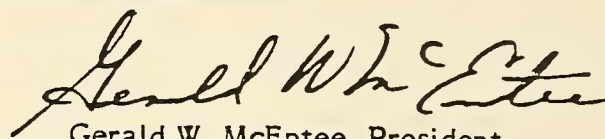


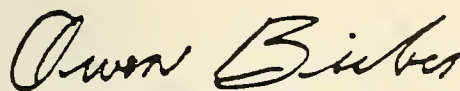
child labor violations are currently the highest since the law's inception in 1938. NCL is dependent upon your generous support as it moves forward in this issue, as well as others that impact American consumers and workers. We hope that you will join us in supporting the National Consumers League by sending a contribution for their work during the next year. We would appreciate your consideration and favorable response to our appeal.

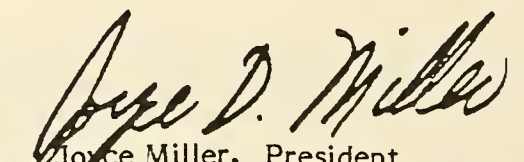
In solidarity,

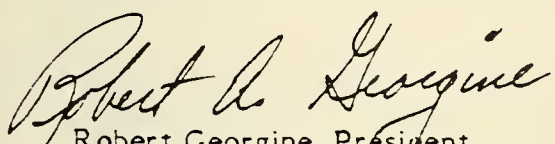
THE 1991 NCL LABOR ADVISORY COMMITTEE


  
Susan Bianchi-Sand, President  
Association of Flight Attendants

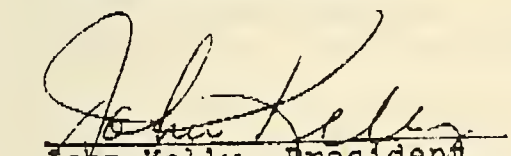
  
Gerald W. McEntee, President  
American Federation of State,  
County, and Municipal Employees

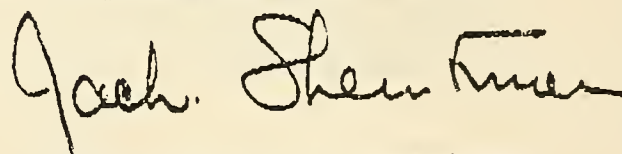
  
Owen Bieber, President  
United Auto Workers


  
Joyce Miller, President  
Coalition of Labor Union Women  
Vice-President, ACTWU

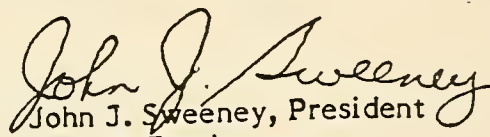
  
Robert Georgine, President  
Building and Construction Trades  
Department, AFL-CIO

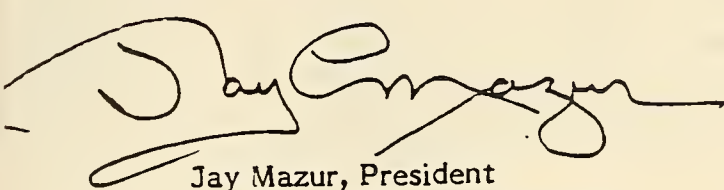
  
Lenore Miller, President  
Retail, Wholesale, and  
Department Store Union

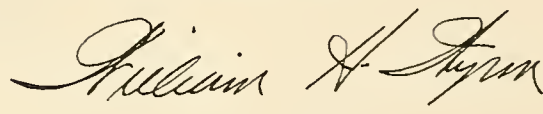
  
John Kelly, President  
Office and Professional Employees  
International Union

  
Jack Sheinkman, President  
Amalgamated Clothing and  
Textile Worker's Union

  
Richard I. Kilroy, President  
Transportation & Communications Union

  
John J. Sweeney, President  
Service Employees  
International Union

  
Jay Mazur, President  
International Ladies' Garment  
Worker's Union

  
William H. Wynn  
International President  
United Food and Commercial  
Worker's International Union





# Building and Construction Trades Council of the Metropolitan District

AFFILIATED TO THE

## BUILDING AND CONSTRUCTION TRADES DEPARTMENT

A.F.L.-C.I.O.

### TERRITORIAL JURISDICTION

Arlington, Boston, Belmont, Brookline, Burlington, Cambridge, Canton, Chelsea, Dedham, Everett, Malden, Medford, Melrose, Milton, Norwood, Reading, Revere, Somerville, Stoneham, Wakefield, Westwood, Winthrop, Winchester, Woburn, and the Islands of Boston Harbor

TELEPHONE  
617 - 282-0080

645 MORRISSEY BOULEVARD  
SUITE 2  
BOSTON, MA 02122-3520

March 27, 1991

Honorable William Weld, Governor  
Commonwealth of Massachusetts  
State House - Room 360  
Boston, Ma. 02203

Dear Governor Weld:

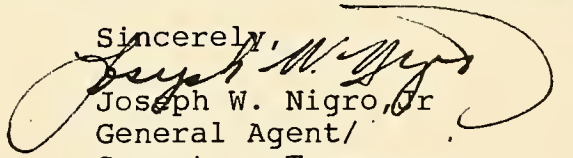
On behalf of the Boston Building Trades Council and its 23 different Apprenticeship Training Programs, we urge you to reconsider the termination of Jill Alexander the Director of the Division of Apprenticeship Training.

The continuity of Apprenticeship Training is most important. Over the years, each and every Governor, has realized the importance of this office and has seen fit to reappoint that person who has demonstrated effective management and concern for these many diverse programs.

Labor/Management and employer run Apprentice Programs have benefitted from the skills and leadership of Ms. Alexander.

Your quick action to restore long standing credibility to this office is of the utmost importance. Our State has benefitted from a respected Bureau of Apprenticeship Training, please reconsider her appointment.

Sincerely,

  
Joseph W. Nigro, Jr.  
General Agent/  
Secretary Treasurer  
Boston Building Trades Council

cc: C. Morris, Secretary, Exec. Office of Labor  
P. Torkildsen, Commissioner, Labor & Industries  
L. Purcell, President, Mass Bldg. Trades  
J. Grande, Chair, Mass Apprenticeship Council  
J. Farmer, Exec V.P. Building Trades  
J. Faherty, President Mass. AFL/CIO





**PIONEER VALLEY BUILDING AND CONSTRUCTION TRADES COUNCIL**  
**OF**  
**FRANKLIN-HAMPDEN-HAMPSHIRE COUNTIES**

**29 OAKLAND STREET**



**SPRINGFIELD, MASS. 01108**

**(413) 732-9676**

**(413) 736-2878**

**PRESIDENT**  
**DAVID BERGERON**  
**SECRETARY-TREASURER**  
**RICHARD AVERILL**  
**RECORDING SECRETARY**  
**JOHN COLLINS**

**VICE PRESIDENTS**  
**JOHN RICHARDS**  
**FRANKLIN COUNTY**  
**WILLIAM CUMMINGS**  
**HAMPDEN COUNTY**  
**JOHN MALONE**  
**HAMPSHIRE COUNTY**

C

March 28, 1991

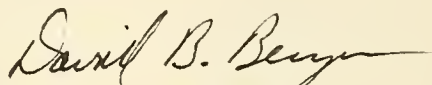
Joseph C. Faherty  
President  
Massachusetts AFL-CIO  
8 Beacon Street  
Boston, MA 02108

Dear Joe:

I am writing to let you know that we fully support your efforts to maintain current unemployment benefits in the form of House Bill #1691. With the cooperation of all of the trades in the Pioneer Valley Building Trades Council we were able to collect approximately 3,000 signed postcards from the general public over a two week period.

If there is anything else we can do to help please feel free to call. Keep up the good work and best of luck in your efforts.

Sincerely,

  
David B. Bergeron





United States Representative  
Silvio O. Conte

1921 — 1991

*Pray for the Repose of the  
Soul of*

*United States Representative*

**Silvio O. Conte**

**1921 — 1991**

*Prayer*

*Lord, make me an instrument of Thy peace; where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.*

*O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love; for it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life.*

---

Bencivenga-Dagnoli Funeral Home





**United States Representative**  
**SILVIO O. CONTE**

- Born November 9, 1921
- Married to Corinne L. Duval  
on November 8, 1947
- Senator - Commonwealth of  
Massachusetts - 1950-1958
- Member - United States Congress  
1959-1991  
1st District of Massachusetts
- Died February 8, 1991



**T**ake, Lord,  
and receive all my liberty,  
my memory, my understanding  
and my entire will,  
all that I have and possess.

You have given all to me,  
to you, Lord, I return it.

All is yours;  
do with it what you will.

Give me only your love  
and your grace,  
that is enough for me.

---

from the Spiritual Exercises of St. Ignatius of Loyola

C

CORINNE L. CONTE  
11 APPLE TREE POINT  
PITTSFIELD, MASSACHUSETTS 01201

February 14, 1991

Massachusetts AFL/CIO  
8 Beacon Street, 3rd Floor  
Boston, Massachusetts 02108

Dear Friends:

The family and I want to extend our deepest thanks to you for remembering Silvio with such a beautiful arrangement of flowers. Obviously, you recall just how much he loved flowers, plants -- and, all living things! The hours he spent personally planting and caring for flowers of all kinds around the Washington house, and, at the Cottage in Pittsfield as well, gave him a great sense of pride and satisfaction.

Your thoughtfulness truly touched our hearts, added beauty and greater significance during those last days when we all shared in his loss together.

Thank you for remembering him. Thank you for your thoughtfulness.

Sincerely,

*Corinne L. Conte & Family*

Corinne L. Conte and Family







*University of Lowell*

*One University Avenue*

*Lowell, Massachusetts 01854*

(508) 452-5000

**Technology and Work Program**  
**508-934-3266**

March 27, 1991

Joseph Faherty  
President  
Massachusetts AFL/CIO  
8 Beacon Street  
Boston, MA 02108

Dear Joe,

Thank you very much for sending the letters to the International Presidents about the Technology and Work Program. I know that these are very busy times for you and I appreciate both the expression of support and the precious time which it took.

If any situations arise, or come to your attention, where we can be helpful to you or to any of your affiliates, please do not hesitate to contact me.

Thank you again.

In Solidarity,

Charley Richardson  
Technology and Work Program



# AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

LANE KIRKLAND  
PRESIDENT  
THOMAS R. DONAHUE  
SECRETARY-TREASURER



REGION NO. 8, FRANK MYERS, DIRECTOR  
SUITE 500, 6 BEACON STREET  
BOSTON, MASSACHUSETTS 02108  
(617) 227-1275

## MEMORANDUM

March 18, 1991

To: Northeast AFL-CIO Council Members  
From: Frank Myers, Director  
Region VIII, AFL-CIO  
Re: Address Change

Please note for your records that effective April 1, 1991, the AFL-CIO Region 8 office will have a change of address to:

125 Summer Street - Suite 1160  
Boston, Massachusetts 02110

opeiu-2  
afl-cio







# THE COMMONWEALTH OF MASSACHUSETTS MASSJOBS COUNCIL

William F. Weld  
*Governor*

Anthony R. Sapienza  
*Grieco Bros., Inc.*  
Daniel S. Gregory  
*Secretary of Economic Affairs*  
Co-Chairs

TO: MJC MEMBERS & STEERING COMMITTEE

FROM: JACK KING/ JUDITH GILBERT

RE: NEXT STEERING COMMITTEE MEETING

DATE: MARCH 22, 1991

The Massjobs Council Steering Committee will meet next WEDNESDAY, MARCH 27 at 2 pm at the Department of Employment and Training in the Commissioner's Conference Room on the 3rd floor, 19 Staniford St., Boston.

The meeting will follow up on yesterday's Massjobs Council meeting and begin the tasks necessary for the next MJC meeting on May 2.

Members are encouraged to attend or to send a designee. Please call either of us to confirm your attendance or with any questions. Thank you.



# American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.  
Washington, D.C. 20006  
(202) 637-5000

## EXECUTIVE COUNCIL

### LANE KIRKLAND PRESIDENT

Albert Shanker  
William H. Wynn  
Joyce D. Miller  
Richard I. Kilroy  
William H. Bywater  
John T. Joyce  
Robert A. Georgline  
Jay Mazur  
John J. Barry  
Susan Bianchi-Sand  
John N. Sturdivant

### THOMAS R. DONAHUE SECRETARY-TREASURER

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Gerald W. McEntee  
Owen Bieber  
Morton Bahr  
Gene Upshaw  
Jack Sheinkman  
William J. McCarthy  
George J. Kourpias  
Frank Hanley

March 22, 1991

Dear Trade Unionist:

It's not over until it's over.

The AFL-CIO Executive Council on February 22, 1991 adopted the attached statement on "Operation Stateside." The Persian Gulf War reached a cease fire but it will be months until all our armed services personnel come home.

The AFL-CIO has teamed up with the American Red Cross in "Operation Stateside" to help thousands of troops who remain in the Persian Gulf in the aftermath of the war, and to provide services to their families back home. In addition, tens of thousands of refugees, displaced civilians and other victims of the war need food, medicine and shelter.

For months to come, the Red Cross will work to relieve the suffering of all victims of war - military and civilian. Your gift to "Operation Stateside" helps make these vital humanitarian services possible.

The Red Cross estimates that 30 million dollars will be needed to carry out their assistance program. The AFL-CIO needs to help them.

Make your contribution to the "American Red Cross Gulf Crisis Fund." Mail your checks to "Operation Stateside," American Red Cross, Department 0499, Washington, D.C. 20073-0499.

Sincerely and fraternally,

Joe Velasquez  
Director  
Department of Community Services

JV:mm

Attachment

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**STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL**

on

**OPERATION STATESIDE**

February 22, 1991

Bal Harbour, Florida

The AFL-CIO has joined with the American Red Cross in OPERATION STATESIDE, a volunteer support program to enable union members to assist the families of United States forces serving overseas in the Persian Gulf war.

The Red Cross, based on its long experience in helping evaluate and serve the needs of military families, estimates that \$40 million will be required to help families remain in touch, to monitor the condition of American prisoners of war and to provide financial help to the families of reservists and National Guard troops whose call-up has deprived them of substantial income.

The AFL-CIO urges all affiliates, state federations and central labor councils to support OPERATION STATESIDE and encourage union members to contribute to the American Red Cross Gulf Crisis Fund. Checks made out to the fund should be sent in care of OPERATION STATESIDE, American Red Cross, Department 0499, Washington, D.C. 20073-0499.

The AFL-CIO also calls on union members to continue to donate blood and volunteer time to local Red Cross chapters engaged in family support activities.

# # # # #



# United States Senate

WASHINGTON, D.C. 20510

March 20, 1991

Dear Friend:

For the business community in Massachusetts, the continuing recession remains the most important problem we confront, and economic recovery the most important challenge.

I was pleased to join Governor Bill Weld on January 28, 1991 for a conference in Boston on the prospects for new growth in Massachusetts. A number of constructive proposals emerged at that meeting, particularly in the area of banking and credit. Several members of the Massachusetts congressional delegation, including myself, serve on the congressional banking committees, and we have followed-up with concrete proposals to the Bush Administration regarding bank reforms. The Bush Administration has proposed its own regulatory changes, and is now sponsoring legislation for a sweeping reorganization of the American banking system.

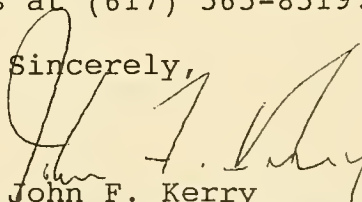
All of these proposed changes have serious implications for every part of the Massachusetts economy and every region of the state. For that reason I will hold a series of field hearings of the Senate Banking Committee throughout Massachusetts during the first two weeks of April.

The Banking Committee hearings will focus not only on the impact of the banking crisis and proposed banking reforms on the state's economy, but on specific growth prospects for regions of the state as well.

A schedule of the hearings is enclosed for your information. Because of time limitations, testimony at the hearing will be by invitation, but all members of the public are invited to submit written testimony in advance of the hearing.

Please feel free to call my Boston office for more information or to register comments at (617) 565-8519.

Sincerely,

  
John F. Kerry  
United States Senator

Enclosure  
JFK/th

## Locations for Banking Committee Field Hearings

Tuesday, April 2, 1991

2:00 - 4:00 pm

Southeastern Massachusetts University

Auditorium, Campus Center Building

Old Westport Road

North Dartmouth

(Note: Please park in Parking Lots 4 & 5)

Wednesday, April 3, 1991

9:30 - 11:30 am

Springfield Technical Community College

Scibelli Hall, 7th Floor

Armory Square

Springfield

Wednesday, April 3, 1991

2:30 - 4:30 pm

Berkshire Community College

Koussevitzky Arts Center, Room 111

West Street

Pittsfield

Thursday, April 4, 1991

2:00 - 4:00 pm

Mt. Wachusett Community College

South Side, Main Entrance, Room 115/116

444 Green Street

Gardner

Monday, April 8, 1991

2:30 - 4:30 pm

University of Lowell

O'Leary Library, Room 222, South Campus

Wilder Street

Lowell

United States Senate

WASHINGTON, D.C. 20510-2102

OFFICIAL BUSINESS

DO NOT FORWARD

U.S.S.  
BLK. RT.  
CAR-RT-SORT

78342.6-0JC

CR 24

MR. JOSEPH FAHERTY

AFL-CIO

8 BEACON STREET

BOSTON, MA 02108-3722

80021



# Friends of the Central Remedial Clinic

BOSTON CHAPTER

Vernon Avenue  
Clontarf, Dublin 3  
Ireland

## FOUNDER

The Hon. Lady Valerie Goulding, LL.D.

## EXECUTIVE DIRECTOR

Vivienne McCutcheon

## HONORARY MEMBERS

Congressman Brian J. Donnelly  
Eileen Prose, WCVB-TV

## PRESIDENT

Mary Joyce-Morris

## BOARD MEMBERS

Rep. James T. Brett, Chairman  
Joseph C. Faherty  
Martin V. Foley  
Ariana Fulginiti  
Joseph W. Joyce  
Thomas Lally  
Joseph N. Malone  
Mary Mulvey  
Gerard O'Connor  
James J. Tiernan

Central Remedial Clinic - Boston Chapter

Meeting - Wednesday, March 27, 1991

Boston Park Plaza Hotel and Towers  
Arlington Street  
Boston

3:00-4:00 P.M.

Please check Events Board in Lobby for room and location

Regrets - Mary Joyce Morris - 729-0621

Please bring outstanding receipts from tickets sales from  
March 10th event to this meeting.



# American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.  
Washington, D.C. 20006  
(202) 637-5000

## EXECUTIVE COUNCIL

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Susan Bianchi-Sand  
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### THOMAS R. DONAHUE SECRETARY-TREASURER

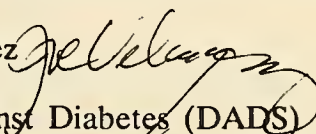
Edward T. Hanley  
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Angelo Fosco  
Wayne E. Glenn  
James E. Hatfield  
Gerald W. McEntee  
Owen Bieber  
Morton Bahr  
Gene Upshaw  
Jack Sheinkman  
William J. McCarthy  
George J. Kourpias  
Frank Hanley

March 20, 1991

## MEMORANDUM

**TO:** AFL-CIO State Federations  
AFL-CIO Central Labor Councils  
AFL-CIO Community Services Liaisons

**FROM:** Joe Velasquez 

**SUBJECT:** Dollars Against Diabetes (DADS)

For several years, the AFL-CIO Building and Construction Trades Department has sponsored the Dollars Against Diabetes (DADS) campaign. This successful program raises million of dollars to combat the deadly disease of diabetes.

This year the DADS campaign will be conducted in communities across America on Saturday, June 15. Please contact your local Building and Construction Trades Council leadership and find out how you can support the 1991 DADS Day Campaign.

Enclosed is DADS Day promotional information. Your AFL-CIO Community Services regional director can help you get started - he'll contact you soon.

I know we can count on you to support and involve as many union volunteers as possible in the Building Trades DADS campaign in your area.

Thank you.

JV:jy

Enclosure

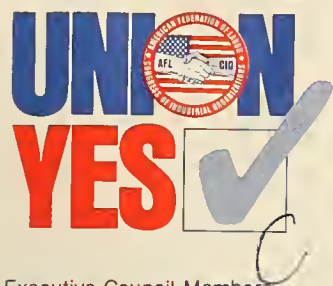
cc: Robert Georgine  
AFL-CIO Community Services Regional Directors

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AMERICAN FEDERATION  
OF LABOR AND CONGRESS  
OF INDUSTRIAL ORGANIZATIONS



MEMORANDUM

March 21, 1991

TO: State Federations  
Field Coordinators - Anti-Strikebreaker Campaign

FR: Robert McGlotten, Director  
Department of Legislation

Important new information has come to light that should lend significant support to our position on anti-striker replacement Legislation (H. R. 5 and S. 55).

The Collective Bargaining Forum, a group of top corporate and labor officials who meet with the encouragement of the Department of Labor to discuss labor-management issues, released a report on 3/18/91, entitled Labor-Management Commitment: A Compact for Change, which encourages the parties in collective bargaining to settle their differences without resorting to "strikes, lockouts, or replacement hiring" (copy enclosed - quoted language on p. 12). I strongly encourage you to reference this report during the course of lobbying meetings with your representatives and senators, and be especially sure to note the corporate entities which are signatory to this report (including International Paper and the National Association of Manufacturers).

Secondly, the Journal of Commerce, a widely respected national business newspaper, recently published an editorial in favor of banning the use of permanent replacements for striking workers. This information should also be used during your congressional meetings to demonstrate that there are, indeed, various sectors of the business community in agreement with our position that this abhorrent practice truly upends the delicate balance of labor-management relations in this country.

Executive Council Members

**Lane Kirkland**

President

**Thomas R. Donahue**

Secretary-Treasurer

Albert Shanker

Edward T. Hanley

Angelo Fosco

William H. Wynn

John DeConcini

Wayne E. Glenn

Joyce D. Miller

John J. Sweeney

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John J. Barry

Sigurd Lucassen

William J. McCarthy

Susan Bianchi-Sand

Moe Biller

George J. Kourpias

John N. Sturdivant

Richard L. Trumka

Frank Hanley





# Replacement Workers

HOW WOULD IT FEEL TO NEGOTIATE A DEAL with a loaded gun pointed at your head? That's the position in which many labor unions find themselves during collective bargaining talks with employers.

Despite a series of federal laws that promote balance between unions and management, employers today hold a decided advantage in most labor talks. Why? Because management can hire permanent replacements for striking workers. If negotiations are stalled, employers essentially can fire the strikers and bring in new workers. The only way Congress can correct this imbalance is to bar employers from hiring permanent replacements for strikers.

A bill sponsored in the House by Rep. William Clay, D-Mo., would do just that. The legislation, the chief goal of organized labor, understandably has drawn fierce opposition from employers. Labor Secretary Lynn Martin has vowed that President Bush will veto the measure if it reaches his desk. But with some creative leadership in Congress, the bill can be modified to satisfy union concerns and solve some of management's problems as well.

Congress first set standards for labor-management negotiations in 1935 when it passed the National Labor Relations Act. The purpose of that law was clear: "to restore equality of bargaining power between employers and employees." The law gave both sides powerful economic weapons. Employees have the right to strike and employers have the right to lock workers out. Employers can continue to run their businesses during strikes and employees can take jobs elsewhere or receive strike pay from their unions.

The law also bars management from firing workers who strike. But three years after the act was passed, the Supreme Court gave employers the right to "permanently replace" workers who strike. The court never explained the difference between firing a worker and permanently replacing him. It is a distinction without a difference.

Until the 1980s, employers seldom exercised their option of permanently replacing strikers. But after Ronald Reagan fired striking air traffic controllers in 1981, the practice increased. Since then, permanent replacement workers have been a lightning rod in ugly labor disputes involving International Paper, Eastern Airlines, Greyhound Lines and, most recently, the New York Daily News.

Employers have an unquestioned right to hire temporary workers — or to use supervisors — to replace strikers. Without this right, which is preserved in the Clay bill, employers would have no leverage to force workers to continue negotiating. But allowing management to permanently replace strikers does not encourage the parties to reach a settlement. Rather, it allows one side, management, to eliminate the other side, labor.

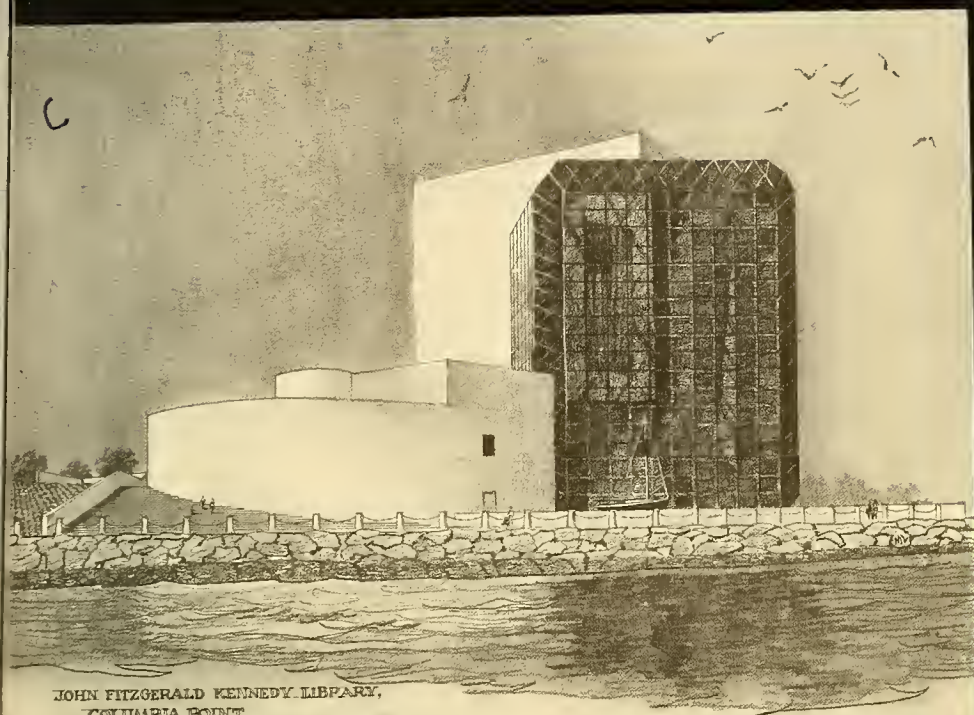
A recent report by the General Accounting Office shows that employers threatened to hire permanent replacements in one-third of the strikes that occurred in 1985 and 1989, the two years studied by researchers. Permanent replacements actually were hired in about 17% of those strikes. GAO says most employers and workers it interviewed believe permanent replacement workers were hired more often in the 1980s than in the preceding decade.

If Congress bars the hiring of replacement workers — and it should — an important management concern should be addressed as well. Employers often are reluctant to hire temporary replacement workers because of threats and violence from organized labor. Union miners fired shots at replacement workers during recent coal strikes. Buses filled with passengers were fired upon during the Greyhound strike. The striker replacement legislation should be amended to provide stiff penalties for union members who engage in such terrorist tactics but often go unpunished.

For more than 50 years, the United States has followed a sound labor policy that encourages negotiated settlements. Allowing employers to fire their workers instead of negotiating with them makes a mockery of that policy.







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To Celebrate

The Opening of the  
**Stephen E. Smith Conference Center**

At the John F. Kennedy Library

Thursday, April 18

5:30 to 7:30

RSVP by April 11

617-436-9986

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# International Association of Machinists and Aerospace Workers

A. F. L. - C. I. O.

District Lodge No. 38

96 Chestnut Hill Avenue, Brighton, Mass. 02135

617-254-2515

FAX 617-254-2526



March 20, 1991

Mr. Joseph C. Faherty  
President  
Massachusetts AFL-CIO  
8 Beacon Street  
Boston, MA 02108

Dear Sir and Brother:

Thank you for your letter dated March 7, 1991, relative to the problems at Columbia Bicycle.

One of our staff, Business Representative Robert Tomasini, has been in touch with the Industrial Services Program. I am forwarding a copy of your letter to him for any additional help he may need that you can provide.

Thank you for your offer of assistance.

Fraternally yours,

*Anthony P. Mastandrea*

Anthony P. Mastandrea  
Directing Business Representative

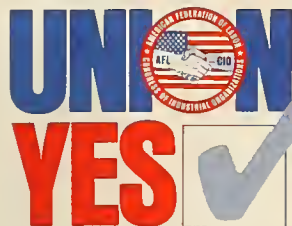
APM/nmt

cc: R. Tomasini, B.R.  
P. Kelly, G.L.R.





AMERICAN FEDERATION  
OF LABOR AND CONGRESS  
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March 8, 1991

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George J. Kourpias  
John N. Sturdivant  
Richard L. Trumka  
Frank Hanley

To: Principal Officers of State and  
Local Labor Councils

From: Joe Shantz, Director *Joe Shantz*  
Department of Organization and  
Field Services

Joe Velasquez, Director *Joe Velasquez*  
Department of Community Services

At the February Council meeting of the AFL-CIO the Ad Hoc Committee on Older and Retired union members decided to conduct a survey of AFL-CIO labor councils to determine the existence, and extent, of active retiree groups.

As you know, these groups can be an effective tool in situations such as organizing, political action, strike support, community services, and much more. In order to assess the extent to which this resource has been used and what assistance may be in order to help activate such groups we would appreciate your immediate response to the enclosed preliminary survey. Please feel free to include any suggestions you may have.

We will keep you informed of our progress and any final report which is made to the AFL-CIO Executive Council. Thank you in advance for your cooperation.

cc: Humphrey Donahue



**AFL-CIO CENTRAL LABOR COUNCIL**

**SURVEY ON RETIREE GROUPS**

1. Does your central labor council have a retiree committee?  
Yes\_\_\_\_ No\_\_\_\_
2. Are you aware of a National Council of Senior Citizens club in your area?  
Yes\_\_\_\_ No\_\_\_\_
3. Are there retiree groups chartered by AFL-CIO affiliated unions in your central labor council's jurisdiction but not affiliated with your council?  
Yes\_\_\_\_ No\_\_\_\_
4. Can you identify them?  
Yes\_\_\_\_ No\_\_\_\_ Please list on opposite side.
5. Would your central labor council be interested in organizing a retiree committee?  
Yes\_\_\_\_ No\_\_\_\_

March 7, 1991

opeiu#2 afl-cio



# MERRIMACK VALLEY PROJECT

198 South Broadway • Lawrence, Massachusetts 01843 • Telephone (508) 686-0650

## Sponsoring Organizations.

Andover and Essex Associations,  
United Church of Christ  
Episcopal Diocese of Massachusetts  
Ethnic Covenant  
Greater Lawrence - Haverhill  
Central Labor Council  
Greater Lowell Central Labor Council  
Massachusetts State AFL-CIO  
Office of the Regional Catholic Bishop  
Presbytery of Northern New England

April 10, 1991

 M.V.P.

Dear Merrimack Valley Leaders:

It is our great pleasure to invite you and another leader of your organization to the next meeting of the Merrimack Valley Project Organizing Committee on Thursday, May 2, 1991 at 7:00 pm at South Congregational Church, 198 South Broadway, Lawrence. (Directions enclosed.)

Much of this meeting will focus on the Friction Materials campaign, our effort working with the members of ACTWU Local 2542, to deal with the potential loss of over 200 jobs in Lawrence. This comes at a time when Lawrence's official unemployment rate is over 15%. Most of the workforce is Hispanic and the loss of jobs in this part of our community would be particularly devastating.

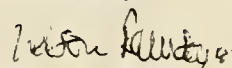
FMI is owned by Echlin Corporation, a Fortune 300 firm based in Branford, Connecticut with over 100 manufacturing plants world-wide. Lawrence Chapter leaders met on April 8 with Patrick Healey, Echlin's Division Manager covering FMI, to discuss their decision to close, our proposal that they explore manufacturing another product in this plant, and a "Community Severance" package proposed by the Project which would include \$169,700 to be provided by Echlin toward the retraining and education of 198 workers who would lose their jobs here.

We are awaiting Echlin's response on these question. In the meantime, the Project will be having a community meeting at 1:00 to 2:30 pm on Sunday, April 14, 1991 at the Lawrence Public Library on FMI. We have asked public officials to be present to support our work for a meeting with Frederick Mancheski, CEO of Echlin, to discuss these issues. (See meeting flyer enclosed.)

The May 2nd Organizing Committee Meeting will also hear and take action on other on-going job-saving campaigns at Amesbury Hospital, Vulkor, and New England Manufacturing Company. We will also vote on the enclosed proposal for an MVP Steering Committee. Please come prepared for this discussion and vote.

We ask each organization interested in helping build the Project to be represented at Organizing Committee meetings by two contact persons.

Sincerely,



Nelson Ramsay  
Greater Lawrence-Haverhill Central  
Labor Council - May 2nd Convener



Directions to South Congregational Church, South Lawrence

From Haverhill and North:

Take Route 495 South to Exit 42B (Rt. 114/South Lawrence). Go Right at end of ramp onto Route 114 and proceed west for two miles. Go Left at second traffic light onto Andover Street.

Cross Railroad Tracks, going one long block. Turn Right at first traffic light onto South Broadway. South Congregational Church is on the right, 50 yards up South Broadway. Park in lot to the right of the church and enter hall through the door on right side of church at the back of the parking lot.

From Lowell and South:

Take Route 495 North to Exit 41B (Rt. 28 North/Lawrence). Bear Right at the end of the ramp onto Rt. 28 North. Bear Left at the fork in the road (.3 mile from the ramp), continuing on Rt. 28 North. Go Right at stop sign onto South Broadway.

Go through two traffic lights. South Congregational Church is on your right on block immediately after second traffic light. Park in lot to the right of the church and enter hall through the door on the right side of church at back of the parking lot.

SOUTH CONGREGATIONAL CHURCH  
198 SOUTH BROADWAY  
LAWRENCE, MA 01843

March 12, 1991

**To: MVP Organizing Committee**

**From: MVP Sponsoring Committee**

**Re: Proposal for MVP Steering Committee**

**A. Composition**

The following is a proposed structure for the MVP Steering Committee

The Merrimack Valley Project Steering Committee is designed to make decisions on behalf of the Organizing Committee in between Organizing Committee meetings. It will meet monthly. At the time of the MVP Founding Convention it will be replaced by an Executive Council.

We propose the following composition and process for forming the Merrimack Valley Project Steering Committee

1) Chapter Representatives - These people also serve as the Chapter Conveners. The numbers are based roughly on population and can be added to as new chapters are formed

<u>Chapter</u>	<u>Number of Representatives</u>
Amesbury	2
Haverhill	3
Lawrence (Area)	4
Lowell (Area)	4

2) Committee Chairs - Co-Chairs of Committees

Early Warning Signs	2
Issues Research	2

Sponsoring Committee - Chosen by the Sponsoring Committee after others are elected in part to help balance out the Steering Committee for diversity and experience.

	3
Total	20

**B. Selection**

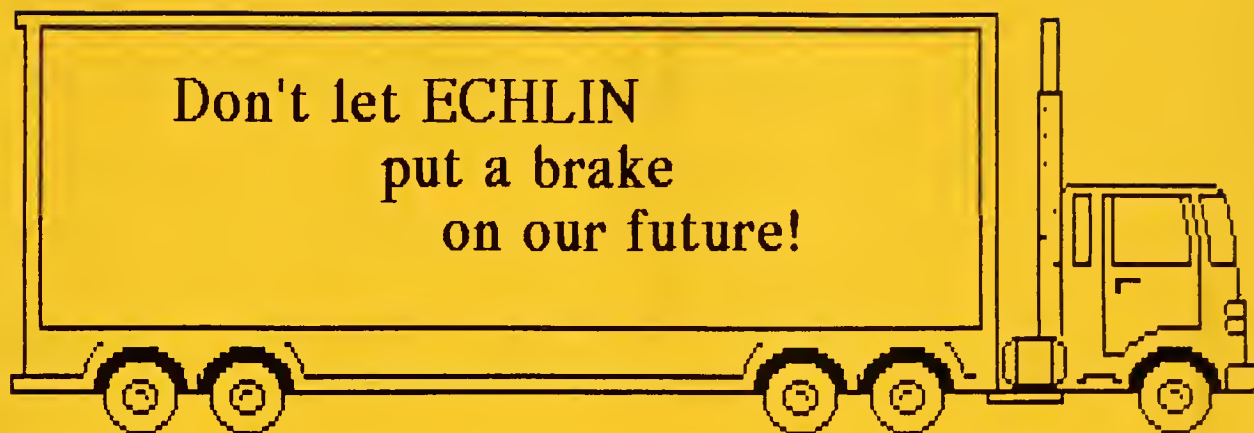
The steps involved include

1. Approval by the Organizing Committee of the Planning Committee's proposal that a Steering Committee be formed. (3/14/91)

2. Discussion and vote by the Organizing Committee of a structure which has been proposed by the Sponsoring Committee (5/2/91)

3. Chapters, Committees and the Sponsoring Committee choose their representatives to the Steering Committee. (by 5/30/91)





Echlin, a Fortune 300 company, is threatening to permanently close down Friction Materials Inc. in Lawrence. This would mean the loss of over 200 jobs. The city of Lawrence with a unemployment rate of over 15% cannot afford the loss of these jobs.

This loss of a few million dollars from our local economy not only hurts the workers being laid-off. It also hurts the many businesses that depend on their patronage.

**COME TO A COMMUNITY MEETING AGAINST  
THE THREATENED CLOSING.**

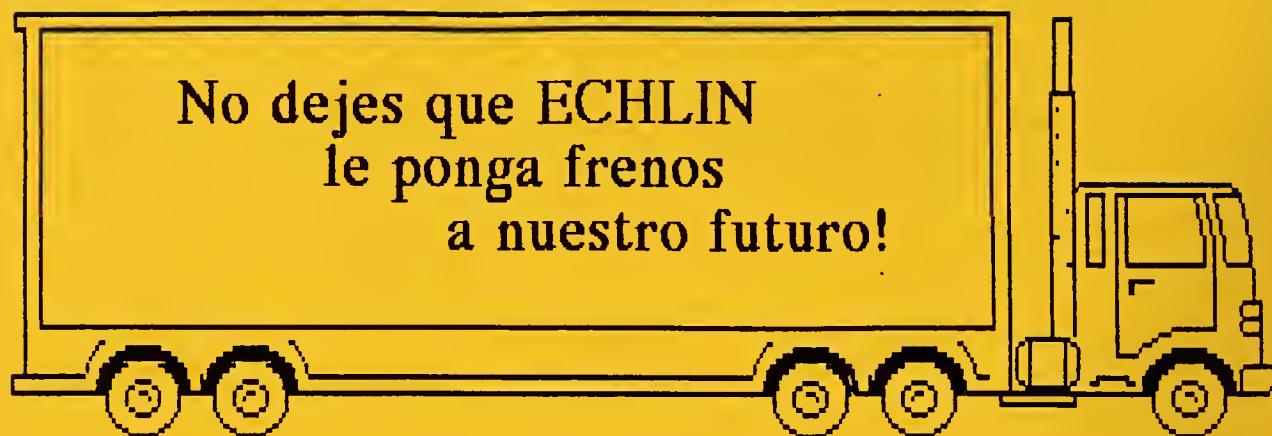
**DATE: SUNDAY, APRIL 14**

**TIME: 12:45 PM**

**PLACE: MAIN PUBLIC LIBRARY  
51 LAWRENCE STREET  
LAWRENCE, MASS**

**COME AND BRING YOUR FAMILIES  
AND FRIENDS.**





Echlin, una de las 300 compañías mas grandes de acuerdo a la revista Fortune, esta amenazando con cerrar a la Friction Material en Lawrence. Esto seria una perdida de mas de 200 empleos. La ciudad de Lawrence con un nivel de desempleo oficial de mas de 15 porciento no puede con la perdida de estos trabajos.

Esta perdida de unos millones de dolares a nuestra economia local no solo le impacta a los trabajadores que pierden su trabajo, tambien perjudica a los negocios que ellos patrocinan.

**VENGA A UNA ASAMBLEA DE LA COMUNIDAD  
CONTRA EL AMENAZADO CIERRE.**

**FECHA: DOMINGO, 14 DE ABRIL**

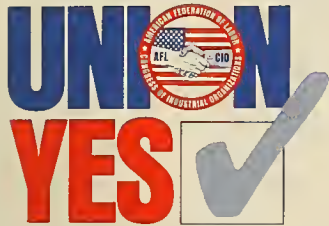
**HORA: 12:45 DE LA TARDE**

**SITIO: BIBLIOTECA DE LAWRENCE  
51 LAWRENCE STREET**

**VENGA Y TRAIGA SU FAMILIA, AMISTADES, Y  
SOCIOS.**



AMERICAN FEDERATION  
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April 10, 1991

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Susan Bianchi-Sand  
Moe Biller  
George J. Kourpias  
John N. Sturdivant  
Richard L. Trumka  
Frank Hanley

Dear Trade Unionist:

On February 28, 1991 we sent you a copy of the booklet entitled "Child Care - Almost Ours" describing the newly enacted child care laws and a guide to implementing the programs. We hope that you have had an opportunity to look over this material.

Because of the critical need of working parents to find affordable quality child care and the fact that the Child Care and Development Block Grant does not require any state or local matching funds, we expect most states to move quickly to qualify for these federal dollars.

We call your attention to pages 19 and 20 of the booklet where you will find a list of suggested steps you could take to insure that you have some input in the program design and implementation. In a number of states the lead agency has already been designated and some have gone through the required public hearing process. If that is the case in your state, we recommend that you identify the designated agency and a person there to whom you can make your views known.

It is important to keep in mind that a number of states suffering from severe financial difficulties will be tempted to use the federal funds available for their program to pay for other existing services, thus depriving many full and part-time union workers the free or subsidized child care (see pages 3 and 4 in the booklet) they are entitled to under the Child Care and Development Block Grant Program.

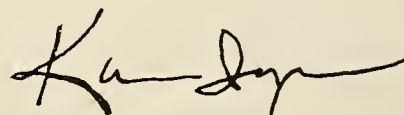


We encourage you to collaborate with members of the Coalition of Labor Union Women (CLUW) in your state. CLUW is an organization, with members from over 60 unions, that has made the needs of working parents and their families a top priority of their organization. To reach the CLUW activists in your area, call the CLUW office at (212) 242-0700 ext. 270 and speak to Sandy Pope or Chrystl Bridgeforth. (The names of Child Care Advocacy contacts are also listed in the Child Care Booklet). If you need further assistance, contact Mary Logan, Assistant Director, AFL-CIO Department of Employee Benefits. Ms. Logan can be reached on (202) 637-5208.

Sincerely and Fraternally,



Joe Shantz  
Director  
Department of Organization  
and Field Services



Karen Ignagni  
Director  
Employee Benefits  
Department

ML:cep





# Coalition of Labor Union Women *Greater Boston Chapter*

c/o District 65, UAW, 636 Beacon St., Boston. MA 02215  
617-536-6949

JOIN BOSTON CLUW TO LEARN HOW WE CAN ....

## SHAPE THE FUTURE OF HEALTH CARE

Together we must address the health care crisis. This will be a program for CLUW members, family, friends and co-workers covering the basic information to use for our first Boston CLUW Campaign for the 90's.

**Date:** Tuesday, April 23

**Location:** SEIU 285

145 Tremont St., Boston - 7th floor  
(across from Park St. MBTA station)

**Time:** 6:45pm

refreshments and a special orientation  
program about CLUW. Everyone welcome.

7:00pm - 9:00pm  
Program

- \* Presentations on the rising health care costs, why it's happening, how women are particularly effected, the solutions and concerns.

Speakers from BCH House Officers Association  
SEIU 285  
Health Care For All

- \* Time for questions and concerns about a new health care system
- \* Review plans for our Boston CLUW Campaign for the 90's

**SHAPE THE FUTURE OF HEALTH CARE! JOIN US ON TUES. APRIL 23.**

(Childcare will be provided)





DISCRIMINATION  
AGAINST PEOPLE  
WITH DISABILITIES  
IS AGAINST  
THE LAW

DISCRIMINATION  
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THE LAW

Americans with Disabilities Act (ADA) of 1990

*"The AFL-CIO celebrates the passage of the Americans with Disabilities Act (ADA) of 1990 as legislation that will bring an unprecedented measure of dignity and opportunity to people with disabilities either in or seeking to become a part of the work force.*

*Just as the Civil Rights Act of 1964 gave organized labor a potent weapon with which to fight discrimination on the job, the ADA gives us a long overdue lever with which we can broaden access to job opportunities for our brothers and sisters with disabilities.*

*This pamphlet is the first in a series of projects to be undertaken by the AFL-CIO Civil Rights Department to provide organized labor with the information needed to employ this new lever to the greatest advantage of those with disabilities."*

**Lenore Miller**

*Chair, AFL-CIO Civil Rights Committee*

*"The AFL-CIO firmly  
supports the rights of workers  
with disabilities to be treated  
with dignity and respect in  
their working lives. "*

**AFL-CIO President Lane Kirkland**





## DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES IS AGAINST THE LAW

The American with Disabilities Act (ADA) of 1990 prohibits discrimination against people with disabilities in employment and in public services, public and private transportation, public accommodations and telecommunications services.

### Who are persons with disabilities?

*A person with disabilities is anyone who:*

- has a physical or mental impairment that substantially limits at least one major life activity, e. g., caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, working;
- has recovered from a disability such as cancer or emotional illness, or was misclassified as having an impairment such as mental retardation;
- has a potentially limiting condition that is under control, i.e. diabetes or epilepsy, or has a condition that people mistakenly perceive as limiting such as wearing a hearing aid, or that employers believe may cause a negative public reaction such as severe burns.

*Exemption:* Current users of illegal drugs are not protected.

### Employment

The ADA bars employment discrimination against "qualified" individuals with a disability who, with or without "reasonable accommodation," can perform the essential functions of the job. However, employers need not provide accommodations which would impose "undue hardship" on the employer's operation.

## **What is "Reasonable Accommodation?"**

The term "reasonable accommodation" may include making existing facilities readily accessible to and usable by persons with disabilities, for example through purchasing or modifying equipment or devices, adjusting or modifying examinations, writing new training materials or policies, providing qualified readers or interpreters, etc.; and may include job restructuring, part-time or modified work schedules or reassignment to a vacant position.

## **What is an "Undue Hardship?"**

Employers need not provide accommodations which would result in "undue hardship" for them. The term "undue hardship" means an action requiring significant difficulty or expense, when considered in light of: the nature and cost of the accommodation needed; the overall financial resources of the facility and of the covered entity; the number of persons employed at the facility or by the company as a whole; the effect on expenses and resources or other impact of such accommodation upon the operation of the facility and the company as a whole; the number, type, and location of the company's facilities; and the composition, structure and functions of the workforce.

## **How are the "Essential Functions" of a job determined?**

The employer's judgment will be considered when determining which functions of a job are essential. If an employer has prepared a written job description before advertising or interviewing applicants for a job, this description shall be evidence of the essential functions of the job.

## **Specifically, the ADA prohibits:**

- limiting or classifying or segregating any job applicant or employee because of a disability in a way that adversely affects the person's opportunities or job status;
- participating in any contract or other relationship that results in discrimination

against qualified applicants or employees because of a disability — including providing fringe benefits, training and apprenticeship programs;

- not making reasonable accommodations unless such accommodations would impose “undue hardship” on the operation of the business;
- denying equal job opportunities to a qualified individual with disabilities because that person needs a reasonable accommodation;
- using qualifying standards, employment tests or other criteria that screen out an individual or class of persons with a disability — unless such standards, tests or criteria are job related and consistent with business necessity.

### **Which employers need to comply?**

All employers and labor unions as defined under Title VII of the Civil Rights Act of 1964 need to comply.

Employers with 25 or more employees must comply as of July 26, 1992 while employers with 15 or more employees have until July 26, 1994 to comply.

### **Can an employer require a medical examination to establish a disability?**

An employer can require a medical examination after an offer of employment has been made if all entering employees in the job category are subject to such an examination. The employer should keep the medical records in a separate file and treat them in a confidential manner.

An employer may not ask whether an applicant has a disability or the nature or severity of the disability. Employers may ask, however, whether an employee or an applicant can perform job related functions.

### **Other employment provisions**

- Employers may transfer from food handling jobs employees with infectious diseases that are on a list to be published by the Secretary

of Health and Human Services if the danger cannot be eliminated by reasonable accommodations;

- The ADA does not overrule any state, county or local law applicable to food handling which is designed to protect the public health from significant risks to health or safety that cannot be eliminated by reasonable accommodation.
- The ADA does not affect reasonable policies on illegal drug testing.

## **Public Services**

The ADA bars discrimination against qualified persons with a disability by state and local governments in the provision of public services and programs. Public services, programs or activities must be in compliance as of January 26, 1992.

## **How does the ADA affect public and private transportation?**

The ADA bars discrimination against qualified persons with a disability by state and local governments and private entities in the provision of public transportation.

Vehicles such as buses and trains and stations must become accessible to and usable by individuals with disabilities, including those who use wheelchairs.

The date for compliance varies for public and private transportation systems and for existing or new stations and equipment. By July 26, 1995, rapid, light rail, intercity and commuter rail services must have at least one car accessible to individuals with disabilities, including those who use wheelchairs.

## **Public Accommodations**

The ADA bars discrimination against persons with disabilities in the use of public accommodations effective January 26, 1992.



## **What are places of accommodations?**

Public accommodations include, but are not limited to: Places of lodging, except those in which the owner lives and rents out up to five rooms; places serving food or drink; gathering places, e.g., auditoriums, movie houses, and convention centers; service establishments, e.g. laundromats, banks, doctors and lawyers offices; retail sales establishments, e.g., bakeries, groceries, clothing stores; places of education, e.g., nurseries, private schools.

Builders of new public accommodations and commercial facilities designed for first occupancy after January 1993 must comply with detailed design and construction requirements.

Any organization that offers examinations or courses for employment upgrading, licensing, or certification must offer the examination or course in a place and manner that is accessible to persons with disabilities or offer alternative arrangements.

## **Telecommunications**

The ADA requires that telecommunication services be available to hearing-impaired and speech-impaired persons. Telephone companies must provide telecommunication relay services throughout their service areas by July 26, 1993. These are services that enable hearing-impaired and speech-impaired persons to communicate with hearing individuals through the use of Telecommunication Devices for the Deaf or other non-voice terminal devices. Television public service announcements made with any Federal funds shall include closed captioning.

The Federal Communication Commission (FCC) will enforce these provisions.

## **Miscellaneous Provisions**

The ADA makes it illegal to retaliate or coerce anyone who opposes any unlawful act or practice, files a charge, testifies, assists or participates in an investigation, proceeding or hearing under this Act.



### **Who will enforce the ADA?**

*The following federal government agencies will enforce these parts of ADA:*

- **Employment -**  
the Equal Employment Opportunity Commission
- **Public Accommodations and Public Services (other than transportation) -**  
Attorney General
- **Transportation -**  
the Secretary of Transportation
- **Telecommunications -** The Federal Communications Commission

*Agency regulations are to be issued by July 26, 1991.*

Individuals denied certain rights also have the right to sue under the ADA.

### **For further information on ADA**

contact your international union, or call  
the AFL-CIO Civil Rights Department  
at 202/637-5270  
or HRDI  
at 202/638-3912





**American Federation of Labor and  
Congress of Industrial Organizations**

815 16th Street, N.W., Washington, D.C. 20006  
202-637-5000

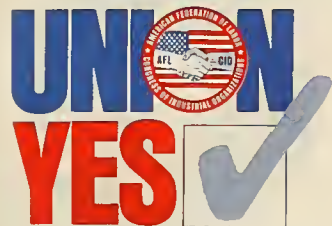
**Lane Kirkland**  
*President*

**Thomas R. Donahue**  
*Secretary-Treasurer*

Publication Number O-218-0391-10



AMERICAN FEDERATION  
OF LABOR AND CONGRESS  
OF INDUSTRIAL ORGANIZATIONS



April 9, 1991

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Jack Sheinkman  
John J. Barry  
Sigurd Lucassen  
William J. McCarthy  
Susan Bianchi-Sand  
Moe Biller  
George J. Kourpias  
John N. Sturdivant  
Richard L. Trumka  
Frank Hanley

Dear Trade Unionist:

The Americans with Disabilities Act (ADA) of 1990 was signed into law on July 26, 1990. It extends civil rights protections to people with disabilities in the areas of employment, public services, public accommodations, and telecommunications relay services.

The Civil Rights Department will be undertaking several activities to better service you and inform you on this important legislation. Employment opportunity with dignity for people with disabilities has been a goal of organized labor. Over one-half century ago, the trade union movement took the lead in securing the first industrial injury law that protected workers injured on the job. The Americans with Disabilities Act of 1990 will ensure a level playing field for all Americans.

Enclosed please find a pamphlet which describes the ADA in general terms. Proposed regulations have been issued with respect to accessibility guidelines for building and facilities, employment, public accommodations, and public services. The final regulations are to be issued by July 26, 1991. Once the employment regulations are published, we will provide you with a more explicit guideline.

We look forward to working with you in supporting the rights of workers with disabilities.

In Solidarity,

Richard Womack

Director

Department of Civil Rights

RW/sb

opeiu #2, afl-cio







# maritime

newsletter

voice of the afl-cio maritime trades department



february-march 1991



AFL-CIO Secretary-Treasurer Thomas Donahue tells delegates to the MTD winter meeting that a U.S./Mexico Free Trade Agreement holds the danger of continuous suffering and poverty for Mexican workers "while American workers are thrown out on the street."

## General Johnson Praises Maritime For Performance, Patriotism in War

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He cited the savings and loan debacle and the uncontrollable rise in the cost of health care.

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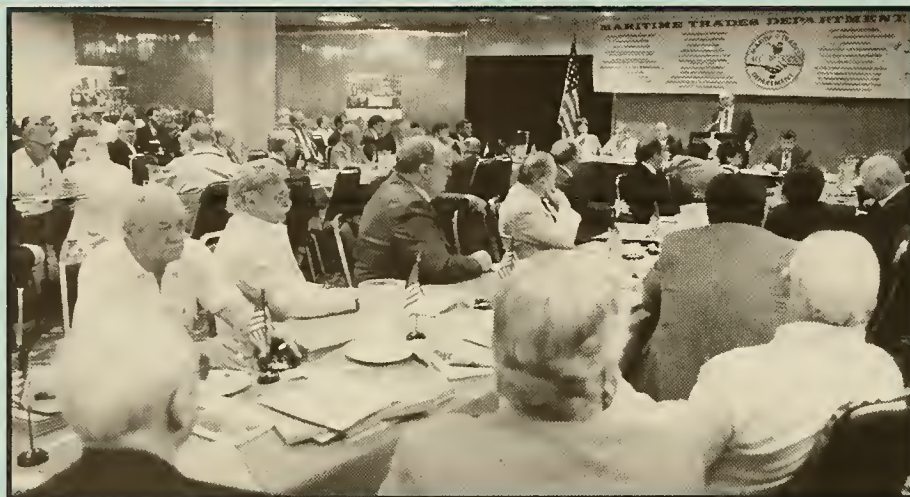
# maritime

newsletter

voice of the afl-cio maritime trades department



february-march 1991



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MTD President Michael Sacco says the staggering cost of health care hurts not only workers but the ability of employers to compete worldwide.

## General Johnson

(Continued from page 1)

The general had particular praise for "the old hands, and I use that term with great respect," who came out of retirement to serve their country in its time of need.

"One of the retirees who volunteered asked what this would do to his Medicare benefits," Johnson recalled. "When asked his age, he replied '81'."

He related the story of Robert Wilson, navigation officer on the *Denebola*. "I understand that some shipping lines do not allow passengers over the age 75. Robert Wilson is 82!"

The general said he was "particularly proud of the leadership from our maritime unions. When we asked for your help, you responded by giving us everything we asked for and more."

"By any standard of measure, America's defense transportation system has achieved an incredible success. It has been a team success in the truest sense," he said.

"We have proven that America's defense transportation system can enjoy the cost benefits of being primarily dependent on the commercial sector, and at the same time, still have the capability to meet the fast-paced and massive demands of a major contingency such as Desert Shield," he said.

"We have also demonstrated to the American public what we have been preaching for several years; the status of America's merchant marine force is in a downward spiral," Johnson said. "To maintain our political and economic freedoms, America must have a strong and viable maritime industry."

"We must all work together to return our maritime industry to a position where we do have a competitive edge," he said.

## MTD Leaders Urge Bush Administration to Reaffirm Commitment to Merchant Fleet

(Continued from page 1)

cost item that many of their competitors refuse to pay."

The high cost of health care is making it difficult for American companies to compete with their counterparts in the industrialized world who enjoy "much more sane and fair systems of distributing medical services."

Sacco cited the continuing export of American jobs as a priority issue.

"No one feels the brunt of these problems like the working men and women of this country," he said. "And no one will speak in their behalf like the trade union movement."

During the two-day session, the MTD Executive Board members adopted more than a score of statements affecting a vast range of issues.

On the maritime front, the MTD leaders called on the Bush Administration "to reaffirm its commitment to the American merchant fleet and its American crews" by mandating full compliance with all cargo-preference laws. They urged the Administration to initiate a federal shipbuilding program to stimulate additional commercial vessel construction.

The board took a strong stand for legislation that would prohibit compa-

nies from hiring scabs to permanently replace striking workers.

On the international trade front, the MTD leaders opposed any attempt to rush into a free trade agreement with Mexico. They also declared that the Bush Administration should not enter into any new talks concerning the General Agreement on Tariffs and Trade until "it is prepared to better defend the interests of American workers and industries."

The board urged Congress to enact legislation bringing "an abrupt end to the Supreme Court's retrenchment on civil rights laws." On the health-care issue, the board called on Congress to pass legislation assuring access "to quality, affordable health care for all Americans."

The board warned of a coming calamity unless local, state and federal governments coordinate and fund a long-term rehabilitation of the nation's infrastructure. And, in the field of construction, the MTD called for enactment of legislation "that requires implementation of a project-wide safety system on each construction site."

(A summary of the statements adopted by the MTD will appear in the April issue of *maritime newsletter*.)

## Donahue Rips U.S./Mexican Free Trade Proposal as 'Serious Threat' to Workers

AFL-CIO Secretary-Treasurer Thomas Donahue looked at the Bush Administration's foreign trade proposals, and particularly at its desire to create a U.S./Mexico Free Trade Agreement, and found them devoid of concern for American workers.

Mexico has 85 million people on an income level less than one-tenth the U.S./Canadian average, he reported. The proposal to establish a free trade agreement with Mexico "is as serious a threat to American jobs as we've seen."

Donahue said that President Lyndon Johnson envisioned the construction of twin plants along the U.S.-Mexican border area, providing jobs for workers from both nations.

"In 25 years, we got warehouses, they got a half-million jobs in factories," he said.

He called for the formation of a U.S./Canada/Mexico parliament to conduct a long, thorough study of North American trade practices and their impact.

Turning to the recent negotiations involving the General Agreement on Tariffs and Trade (GATT), Donahue told delegates that "there are some who believe no agreement is better than a bad agreement."

"Other nations are willing to extend GATT negotiations for a year or two to salvage something," he said. "We will oppose extension."



Thomas Donahue



## Camera Snaps Maritime Trades Department ...



A speaker gains the total attention of Douglas H. Dority, executive vice president of the United Food & Commercial Workers (left) and Charles W. Jones, president of the Boilermakers.



MTD Executive Secretary-Treasurer Jean Ingrao welcomes the United Mine Workers to the MTD family. The UMW is the department's 43rd affiliate.



### ***Bieber Assails Unfair Foreign Trade Policies***

Owen Bieber, president of the United Auto Workers, gave delegates several examples of how the nation's misguided foreign trade policies are hurting America's workers.

Soon after the UAW organized TriCo, the company shipped 1,300 jobs to Mexico, leaving just 650 jobs in its New York facilities.

"They say that just small cars will go to Mexico," he said. "Don't you believe it. If cars go, stamping plants go as well." He said employees of steel plants, carpet mills and other auto suppliers will lose work to plants in Mexico if car production increases there.

"It's a one-way street for all of us," he declared.



A good supply of enthusiasm greeted speakers at the winter meeting. Applauding are (from left) Dominic L. Carnevale, administrative assistant to the president of the United Association; Roman Gralewicz, MTD Eastern Area Executive Board member and president, Seafarers International Union of Canada, and Justin Ostro, MTD Western Area Executive Board member and vice president of the Machinists.

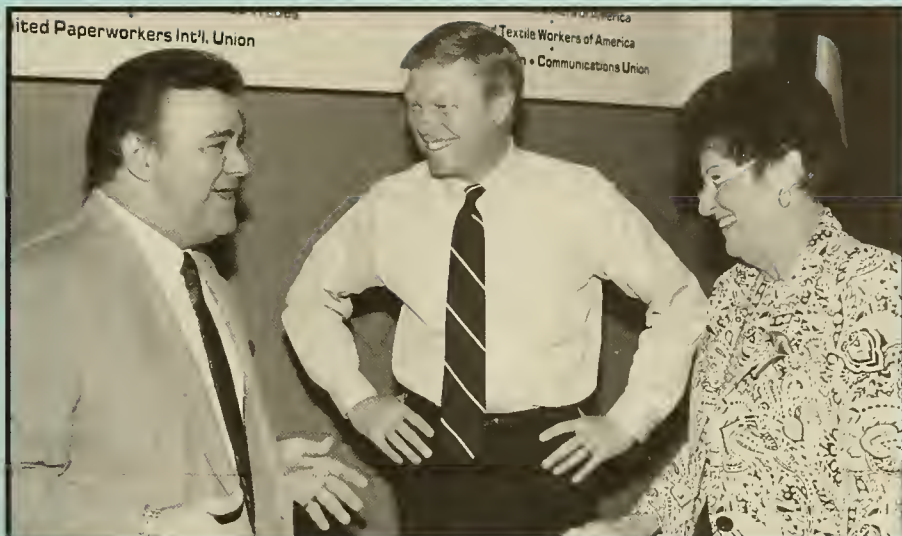


MTD Vice President William F. Zenga expressed the pride that all delegates shared in the victory of America's military men and women over the forces of Iraq. Zenga also issued a call to end the neglect of America's ports. "We must deepen our channels or we will lose our ports," he warned. He urged action in reconstructing the nation's highways, bridges and other parts of its deteriorating infrastructure.





## ... Leadership Team Addressing Vital Issues



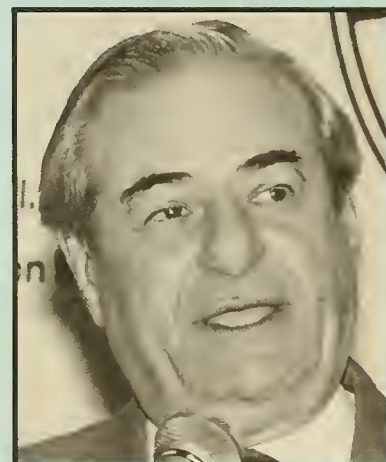
Enjoying a light moment during a break in the winter session are (from left) MTD President Michael Sacco, Rep. Richard Gephardt (D-Mo.) and MTD Executive Secretary-Treasurer Jean Ingrao.



Doing their homework during the winter meeting of the MTD Executive Board are board members (from left) Owen Bieber, president, Auto Workers; George F. Becker, vice president, Steelworkers, and John J. Banovic, secretary-treasurer, Mine Workers.

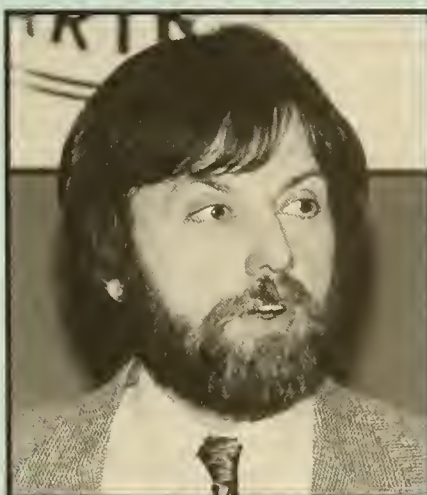


The unification of 12 European nations into a single economic market by the end of 1992 will adversely affect U.S. workers "unless our nation and its unions get their heads out of the sand and start understanding that our job security at home transcends national borders," warns Vice President Jack Otero of the Transportation-Communications Workers. "In 1992 we can expect new maquiladoras in Poland, Czechoslovakia, Hungary and Romania," he said.



### Bahr Lauds Maritime Aid In AT&T Cable Ship Beef

Morton Bahr, president of the Communications Workers of America, lauded the actions of maritime unions in convincing AT&T to enter into a new agreement with CWA, the Seafarers International Union and the Marine Engineers' Beneficial Association District 2 for the operation of two new cable-laying ships. AT&T had threatened to end a long-standing relationship with the unions by manning the ships with foreign workers.



MTD National Field Coordinator Frank Pecquex presents one of many diverse statements on high-priority issues that were adopted by members of the MTD Executive Board.



**maritime**  
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Michael Sacco  
President

William F. Zenga  
Vice President

Jean Ingrao  
Executive  
Secretary-Treasurer

Frank Pecquex  
National Field Coordinator



# Voices Raised for Ban on Hiring of Strikebreakers

Legislation to ban the permanent hiring of scabs who replaced striking workers was in the spotlight during much of the two-day winter meeting of the MTD Executive Board.

They heard two union presidents, George J. Kourpias of the Machinists and Richard L. Trumka of the Mine Workers,



**Richard Trumka, president  
United Mine Workers**

fairness, and to dignity, and to the idea that no working man or woman has to suffer abuse as the price for earning a living."

He noted that some Republicans number among the 202 members of the House and 31 senators who have signed on as co-sponsors of the bill to ban permanent employment of scabs.

He urged his audience to reach out and begin building coalitions with religious leaders and community groups.

"When the polls tell us that an overwhelming majority of the American people say it's dead wrong to fire striking workers, when leaders of the Methodist Church, and the Presbyterian Church, and reform Judaism, and the Church of Christ, and the U.S. Catholic Conference have said it's time that Congress stand up to protect workers' rights, it's time we quit letting politicians box us off as special interest," he declared. "We're talking about the survival of the labor movement."

Kourpias, whose 11,000 members at Continental and Eastern Airlines were robbed of their jobs by strikebreakers hired by Frank Lorenzo, said that "since the legal and judicial process got us into this situation, we will have to rely on legislation to get us out."

He told delegates that the law and practice in Canada, Belgium, France, Germany, Greece, Italy, Japan, the Netherlands and Sweden reject the idea of dismissing striking workers. Sweden even prohibits employers from firing employees who take part in an illegal strike, he added.

"What a shame that our nation—the fountain of liberty and cradle of democracy—has so perverted its labor law and trampled trade union rights," he asserted.

Delegates responded by enthusiastically adopting a statement condemning striker replacement, saying that "this corporate abuse of the collective bargaining process runs counter to the intent of the nation's labor laws."

"Such casual disregard for workers' basic rights of association and collective action to improve their lot is unfair and requires immediate rectification. The Maritime Trades Department calls upon Congress to take swift action to pass HR



**George Kourpias, president  
Machinists**

as well as Congressman Chris Perkins (D-Ky., see below) argue that the legislation is crucial to the survival of the collective bargaining process.

"There's no such thing as free collective bargaining when corporate America is holding a gun to your head called permanent striker replacement," Trumka said. "Because no matter what union you belong to you have no right to strike when the law only guarantees you the right to lose."

He called on delegates to make a crusade of the issue, "a crusade to restore some of this country's commitment to

5 and S 55, legislation designed to return fairness as a basic principle of collective negotiations."

Trumka echoed the determination of the delegates to bring an end to the permanent hiring of striker replacements when he declared:

"In the 1990's we're through turning the other cheek. We're through settling for less. Because we can't back down, we won't back off, and we refuse to back up."

## Perkins Finds Are Companies Using Strikes to 'Bludgeon' Unions

Congressman Chris Perkins (D-Ky.) harshly condemned the growing practice of hiring strikebreakers to permanently replace union members.

"Even in the nations of Eastern Europe, which we applaud for their emerging democratic unionism, workers who strike do not lose their jobs," he said.

"What happened to the Machinists at Eastern Airlines did not happen to the shipyard workers in Gdansk," he said. "What happened to the coal miners at the Massey Coal Co. did not happen to the coal miners in the Soviet Union."

"The United States lags behind the rest of the world, including our major competitors, when it comes to the basic democratic rights of workers," he added.

"If we are prepared to extol the virtue of trade unionism abroad, we must also be prepared to restore a level playing field for collective bargaining at home

and insure that the future living conditions of the American worker are protected by law," Perkins told an applauding audience of delegates to the MTD winter meeting.

He said the Supreme Court decision of 40 years ago that made legal the permanent hiring of scabs runs counter to the declared intent of the National Labor Relations Act, which says: "Nothing in this Act . . . shall be construed so as either to interfere with or impede or diminish in any way the right to strike. . . ."

"But the NLRA right to strike becomes no more than the right to quit when the employment relationship does not continue after the strike," he said. "The strike is rapidly becoming not a tool to assist the economic interest of workers but a club utilized to bludgeon the very existence of trade unionism."



**Congressman Chris Perkins (D-KY.) advocates a ban on the permanent hiring of scabs.**



## Gephardt Calls for Stronger Economy

Congressman Richard Gephardt (D-Mo.) told delegates to the MTD winter meeting that following the experience of the Persian Gulf war he hoped the American people would support a maritime program that would provide for the sea-lift capacity the nation needs.

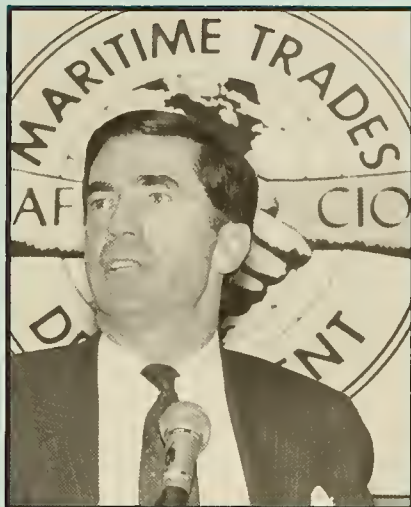
Gephardt, a major candidate for the Democratic presidential nomination in 1988, said returning members of the armed services should find a country "strong and powerful in terms of jobs, income, standard of living and economic power."

"Our country is not moving in the right direction in terms of economic power," he said. "The middle class is on a treadmill, walking backwards."

Gephardt again called for fairness in foreign trade. Many foreign countries take advantage of the American marketplace while at the same time erecting barriers at home against U.S.-made goods.



MTD President Michael Sacco listens as Congressman Richard Gephardt pledges his support of legislation that would ban the permanent hiring of scabs.



### Robb Sees Democrats Holding Senate Edge

Senator Charles Robb (D-Va.), chairman of the Senatorial Democratic Campaign Committee, presented MTD delegates with his rundown on the 1992 Senate races and predicted that the Democrats would retain their majority. Senate races in 1992 will be costly, he said. Running an effective campaign in California could require \$4.5 million and the race in New York, \$6 million.

## MTD Condemns Abuse of Striking N.Y. Longshoremen

The MTD Executive Board went on record supporting the efforts of Local 333, United Marine Division of the International Longshoremen's Association, to obtain a fair agreement with nine tugboat companies in the Port of New York.

The local struck the tugboat companies in February 1988 after its members rejected a take-away proposal by the companies. In November of that year, a U.S. District Court judge ordered the struck companies to rehire Local 333 members under the expired contract and to continue contract negotiations, and to replace the 700 scabs the companies had hired.

The company rehired only 300 out of the 1,600 who were on strike. Then one month after resuming negotiations, the companies unilaterally implemented their February 1988 proposal and further reduced wages by 45%.

The National Labor Relations Board issued complaints against the companies and also filed contempt charges in federal court. After an 8-month trial, Local 333 still is awaiting a decision by the court.

## Roe Urges Protection for American Airlines

Congressman Robert Roe (D-N.J.) deplored the deterioration of the American airline industry and called for the creation of an integrated transportation network.

He expressed particular concern about proposals to allow foreign airlines both access to domestic routes and greater ownership of U.S. airlines.

"If we allow that to happen, we will

be giving away our airlines just as we gave away our maritime capabilities," he said.

Noting that the Jones Act reserves shipping between domestic ports to U.S.-flag ships, Roe said that "we should have a Jones Act for our airlines."

"What is at stake is the ability of the United States to lead economically after the (Persian Gulf) war," he said.

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## North American Free Trade Agreement

On February 5, 1991, President Bush announced that the governments of the United States, Canada, and Mexico are preparing to negotiate an historic free trade and investment agreement. The United States and Canada have a similar *bilateral* free trade agreement (FTA), which was signed in 1988. The trilateral negotiations will give us an opportunity to build upon the US-Canada agreement. The proposed North American agreement would be a catalyst for economic growth and development. The United States, Canada, and Mexico would all obtain significant benefits from increased trade, investment, and jobs. A North American free trade area encompassing all three countries would constitute the world's largest market, with annual production of \$6 trillion and more than 360 million people.

### Goals

The negotiations seek a broad agreement to eliminate restrictions on the flow of goods, services, and investment among the United States, Canada, and Mexico. US objectives include:

- Reduction of tariffs to zero over a period of years (the period is 10 years in the US-Canada FTA);
- Elimination (as far as possible) of non-tariff barriers on goods and services;
- Ensuring an open investment climate; and
- Full protection of intellectual property rights (patents, copyrights, and trademarks).

### Expanded Trade With Mexico

Mexico is our third largest trade partner with bilateral commerce of \$52 billion in 1989 and an estimated \$59 billion in 1990. An FTA would lead to expanded trade with Mexico and the creation of additional jobs for US workers. It would give US exporters unrestricted access to a Mexican market of 86 million people, which may reach 100 million by the year 2000. Mexico purchases more than two-thirds of its imports from the United States. Traditional US competitive advantages—geographic, cultural, and historic links—in this important market would be further enhanced by an FTA.

As the Mexican economy grows, a substantial part of the increased income—as much as 15%—is spent on US goods and services. Strong Mexican growth is expected because of President Salinas' economic reforms. Mexico's middle class is increasing as a percentage of the total population; this means more consumers for American products.

The United States benefits from expanded trade. For each additional \$1 billion in real net exports, about 25,000 new US jobs are created. About two-thirds of US economic growth in 1988 can be attributed to trade. Increased exports have helped the US economy expand out of recessions in the past.

### Investment Opportunities in Mexico

The United States is the source for 65% (\$25 billion) of foreign direct investment in Mexico. Therefore, the US government has a strong interest in encouraging favorable conditions

for new and expanded investments in Mexico. US firms investing there tend to use US suppliers and US designing and managerial talent. Overall US and Mexican competitiveness in international markets would be enhanced by the opportunities offered by an FTA.

### Steps Toward an FTA

- **June 1990.** Presidents Bush and Salinas announce their mutual goal of a comprehensive FTA.
- **August 1990.** President Salinas formally requests negotiations.
- **September 1990.** The Canadian government formally requests participation in the negotiations. President Bush notifies the US Congress of US intent to enter into negotiations with Mexico. In the same letter, he notifies the Congress of Canada's interest in participating in the negotiations and US intent to consult trilaterally about the prospect of Canadian participation. (Following notification, the House Ways and Means and Senate Finance Committees have 60 legislative days during which they can disallow the use of "fast track" procedures. Under these procedures, Congress can only approve without amendments or reject the bill implementing an FTA.)
- **February 1991.** President Bush notifies the US Congress of US intent to enter into negotiations with Canada. Congress does not deny fast track authority for negotiations with Mexico.
- **Spring 1991.** Formal negotiations begin after the expiration of the 60-day requirements and are expected to conclude in 1992.





In May 1989, President Salinas expanded foreign ownership (in many cases up to as much as 100%) in sectors accounting for nearly two-thirds of Mexico's economic output. He also streamlined the approval process for foreign investments. An FTA would further enhance the investment climate facing US firms in Mexico.

An open trade and investment climate will foster further partnerships and alliances in industrial agriculture and service sectors. These partnerships can take advantage of the complementary strengths of our two economies. The result will be that we will both be more competitive against third country competition in our own markets and abroad—and that translates into more jobs and investment in the US, Canada, and Mexico alike.\*

### US Foreign Policy Benefits

Mexico is a close neighbor and friend, and an FTA would strengthen our good relationship. Mexico's example of

### North American Free Trade Agreement

*Following is a joint statement issued by the United States, Canada, and Mexico on February 5, 1991.*

The President of the United States, George Bush; the President of the United Mexican States, Carlos Salinas de Gortari; and the Prime Minister of Canada, Brian Mulroney, announced today their intention to pursue a North American free trade agreement creating one of the world's largest liberalized markets.

Following consultations among their ministers responsible for international trade, the three leaders concluded that a North American free trade agreement would foster sustained economic growth through expanded trade and investment in a

market comprising over 360 million people and \$6 trillion in output. In so doing, the agreement would help all three countries meet the economic challenges they will face over the next decade.

Accordingly, the three leaders have agreed that their trade ministers should proceed as soon as possible, in accordance with each country's domestic procedures, with trilateral negotiations aimed at a comprehensive North American free trade agreement. The goal would be to progressively eliminate obstacles to the flow of goods and services and to investment, provide for the protection of intellectual property rights, and establish a fair and expeditious dispute settlement mechanism.

market-oriented economic reform is a significant role model for other developing countries. It also is important as the cornerstone of a

comprehensive Western Hemisphere policy. A North American FTA would give further substance to President Bush's long-range vision of a hemisphere-wide free trade area. ■

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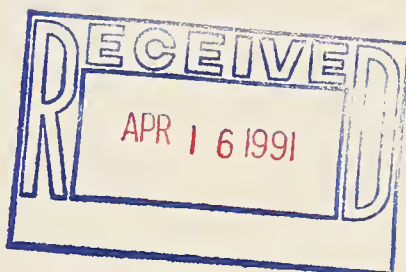
ARTHUR R. OSBORN  
PRESIDENT  
MASSACHUSETTS AFLCIO  
8 BEACON ST  
BOSTON

10587

MA 02108-3713



C  
April 11, 1991



Dear Joe:

Just a note to offer my congratulations and best wishes on your becoming President of the Massachusetts AFL-CIO.

Today the work of our state organizations is tougher and more important to the welfare of the movement than it has ever been.

It's great to know the Massachusetts federation is in such good hands.

*Joe*

11/11/11

# Massachusetts Building Trades Council

NINE PARK STREET • 5th FLOOR • BOSTON, MA 02108 • 617 / 742-7570 • FAX 617 / 742-0985

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VICE PRESIDENT  
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LEGISLATIVE DIRECTOR  
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PROGRAM DIRECTOR  
**MARK L. ERLICH**



April 10, 1991

C  
  
Joseph Faherty, President  
MASS AFL-CIO  
8 Beacon Street - 3rd Fl.  
Boston, MA 02108

Dear Joseph:

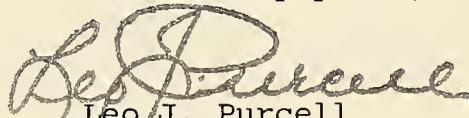
Thank you for participating in the 72nd Annual Convention of the Massachusetts Building Trades Council.

Many delegates expressed their appreciation for the speaking program and a number of them commented that it was the best that they have attended.

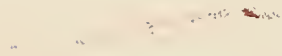
Thank you for helping in making the program such an overwhelming success.

With best wishes, I remain,

Fraternally yours,

  
Leo J. Purcell  
President

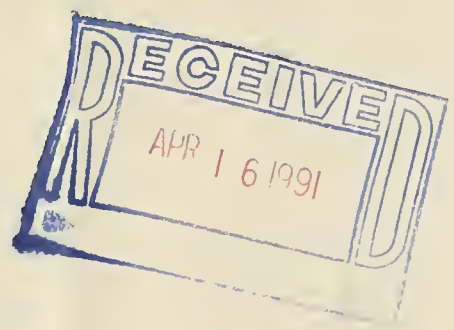
Building Our Communities the Union Way





†  
J M J

Father Normand  
P.O. Box 777  
Westport, MA 02790



April 14, 1991

Mr Joseph C Fakherty  
Massachusetts AFL-CIO  
8 Beacon St  
Boston Mass 02108

Dear Mr Fakherty,

Just a word to express my sincere thanks for responding to my letter and to say as Ted Koppel told Governor Dukakis "you don't get it" You misinterpreted my letter completely.

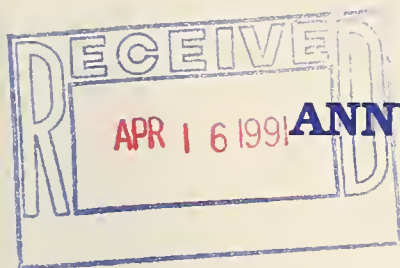
- 1) First of all my father did not have a bad experience with the union. Instead my father a Franco American believes that you work and have faith in Almighty God and the employer. That they are doing the best for you.
- 2) Secondly, I only went to Almas for that one item because it was the best deal in all the stores for it.
- 3) Thirdly, one must not think of union workers but of the individuals with the lowest income. My belief is that everyone should make around the same money. Senator Chaffee once said you can't expect a man making six dollars an hour to buy a car. If worker making twenty five dollars an hour. Cut salaries at the top and raise salaries at the bottom.

4/ Unions would have a better reputation if its leaders did not have such high salaries. Can you imagine a union leader making over \$50,000 a year. The worker in grocery stores do not make that much money as union members.

We will not agree but I thank you for your letter and hope that it will make you think that all individuals consumer and employees and employers must all benefit and be treated in the same way.

Take care and May God continue to grant you the graces to discover and to live what He has dreamed for you.

Peace & Love  
Father Howard

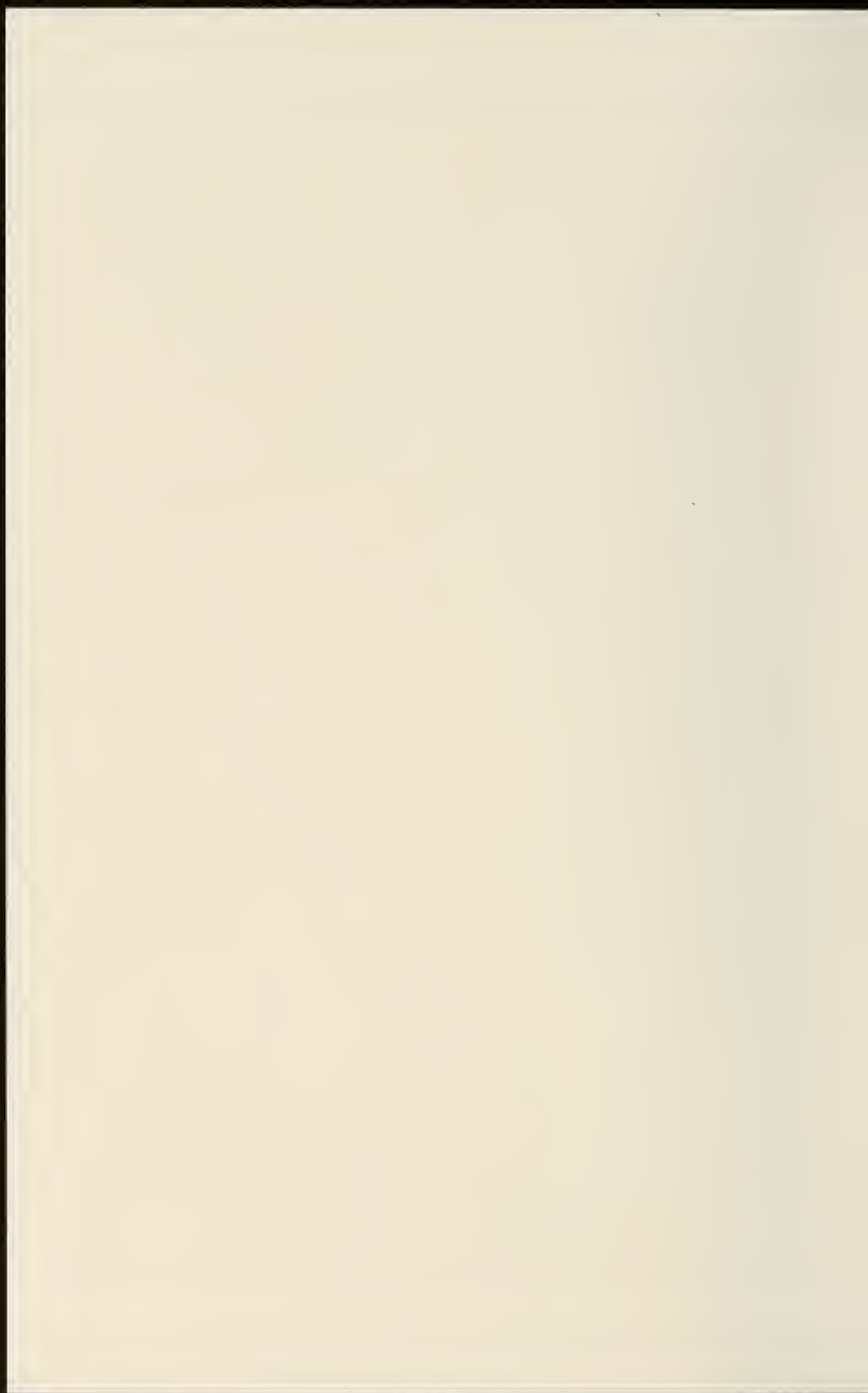


# ANNUAL REPORT

1989 - 1990



The Massachusetts Senior Action Council, Inc.





## Introduction

"Democracy blossoms throughout the world" is a typical headline that has graced the front pages of papers throughout the nation. The phenomenon of citizens of Poland, Czechoslovakia and even Russia going to vote for the first time in decades is truly inspiring. As the national consciousness celebrates democracy abroad, it is falling apart here at home. Voter turnout has been declining and political cynicism, particularly in Massachusetts has reached perhaps an all time high.

At a time when organizations such as Czechoslovakia's Civic Forum are celebrated, much less heralded local groups are paving the way toward broader political participation. Here at home, the Massachusetts Senior Action Council (MSAC) is one of these organizations. First and foremost, MSAC is about people. Poor, minority and old, these are not attributes which commonly characterize our society's decision makers. But these are precisely the type of people who join MSAC and who develop the skills and confidence to become very effective participants in our democratic process.

Most Mass. Senior Action members are retired. During their younger decades they worked in factories, in hospitals, in sweat shops and as domestics. Many failed to finish high school as they had to go to work to support their families. Jessie Logan made shoes in Watertown; Al Saunders worked in the Merchant Marine; Freda Mulkern worked in hospitals; Oscar Farmer was a postal worker; Madeline Therrien and Mary Enos worked in textile shops and Manny Weiner worked in an Everett factory that manufactured kitchen equipment.

MSAC members worked hard, struggled to raise their families and rarely had the time for civic or political activity. Upon retirement, Senior Action members saw their standard of living plummet and their recognized productive value to society disappear. Over the last nine years, MSAC has made a dramatic difference in the lives of thousands of low income and minority elders. MSAC members have learned that they are important and vital members of our democratic society.



They have learned how to speak in public, how to communicate both to their peers and to political leaders. Senior Action members have learned how to focus on a specific issue (such as premature hospital discharges), conduct research, craft a solution and then work with the political process to resolve their collective problems. MSAC's accomplishments have helped hundreds of thousands of older people.

MSAC's democratic, grassroots senior activists are a gathering breeze of fresh air; activists with an amazingly successful track record. MSAC members believe in our democracy and in their right to participate and be heard. You will find MSAC senior leaders negotiating with governors, hospital presidents, insurance company CEO's, congressmen and state legislators. You will find MSAC members in Roxbury, Watertown, New Bedford, Holyoke and Lawrence talking to their peers—telling them that they are important, valuable and able to make a significant contribution. You will find Senior Action members being interviewed on the CBS Evening News, in the *New York Times* and other national media outlets.



**MSAC President, Manny Weiner, addresses State Insurance Commissioner Gailey during last year's convention.**

Finally, you will find Senior Action leaders working with citizens concerned about education, the environment and health care for the working poor; because Mass. Senior Action Council believes in the importance of intergenerational compacts around common commitments to improve the quality of life for people of all ages.

## **Boston Security & Tenant Leadership Campaign**

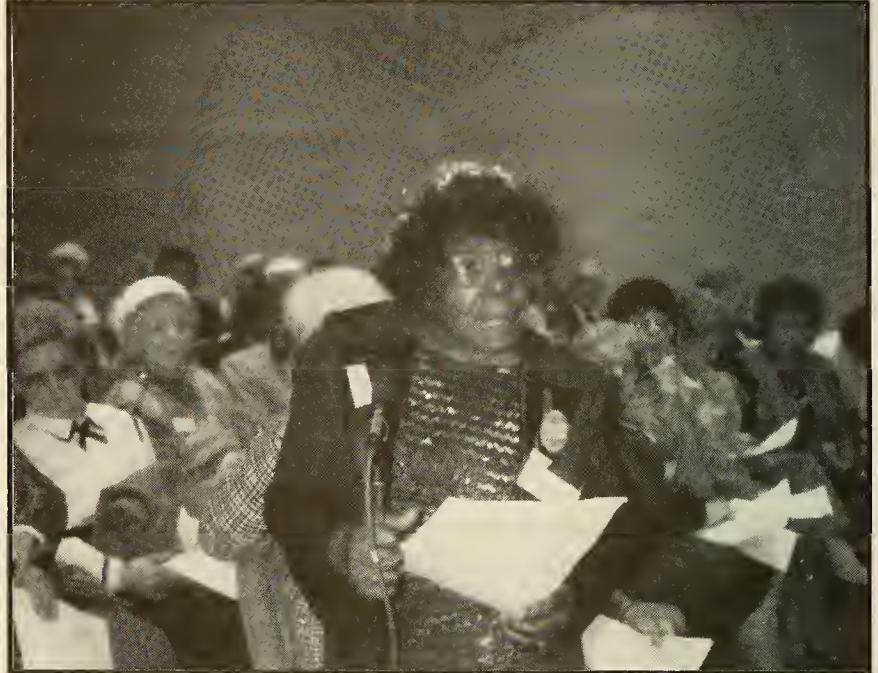
It is instructive that while eastern Europe "reformers" embrace Western democracy, they are extremely worried about the disparities between rich and poor that characterize the United States. Great fear is expressed about the explosion of urban crime and violence that plagues our cities.

In Boston, subsidized elderly tenants are regularly victimized in their own housing developments. Assaults, drug dealing, prostitution and robberies are common occurrences. Many low income and minority tenants feel like prisoners in their own homes. This is a tragic condition which afflicts the lives of the elderly poor living in Boston.

Over the last year, MSAC has begun to make a difference, helping older people to work for safe and secure living environments.

In February of 1989, the senior members of MSAC's Boston Chapter were successful in their campaign to pass the Boston Senior Security ordinance. This ordinance, to our knowledge the most comprehensive of its kind in the nation, requires every owner of an elderly housing development to develop and implement a comprehensive security plan. Each plan must be approved by the City and tenants are given the right to intervene and oppose the proposed plan. The ordinance affects more than 120 developments housing 8000 tenants.

Over the last eight months, MSAC senior leaders have been working with City officials and attorneys to develop workable regulations to guide the implementation of the ordinance. In November of 1989, a press conference was held in Mattapan celebrating the inauguration of the ordinance.



**Issue resolutions are debated and voted on during MSAC's annual convention. The problem of security in senior housing developments is a major concern.**

Since November, MSAC has hosted a series of tenant trainings throughout the city to explain the ordinance and prepare tenants for the steps to be taken in their housing development. MSAC leaders and staff have followed this up with specific trainings and support to local tenant councils. In May, the first city hearing on a proposed security plan was held at the Hassan apartments in Mattapan. Tenants were well prepared and made good presentations as they opposed certain provisions of the management proposed plan. A recent decision supported some of the concerns of tenants as Boston Housing Authority management was ordered to make specific improvements as requested by tenants.

### **Health Care**

The issue of access to affordable and quality health care continues to be a primary concern to Massachusetts elders. The senior members of MSAC have tackled the problem of health care on a number of fronts over the past year. It is a sad



statement that today, the average retiree pays a higher proportion of their income towards health care costs than in 1965 when Medicare was enacted. The average older person spends more than \$2,000 a year out-of-pocket for health care costs. The average income of an elderly individual is less than \$10,000/year.

## **Patients Rights Book**

Two years ago, MSAC concluded a campaign resulting in passage of the Massachusetts Discharge Planning Act. This act provides among the most comprehensive patient protections in the nation, protecting elderly hospital patients from premature and poorly planned discharges.

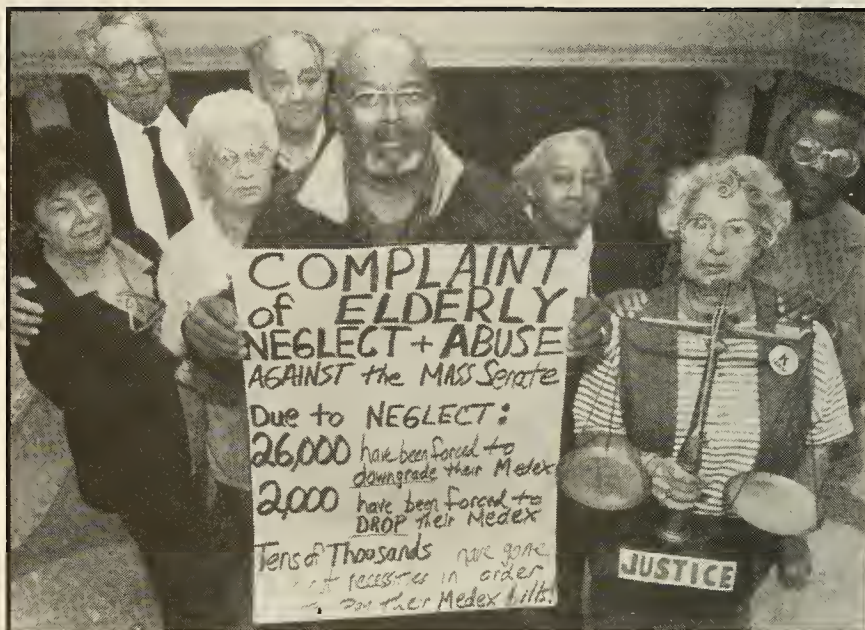
MSAC's senior leaders realized that a broad based effort of community education was needed and that the state was incapable of carrying out this function. MSAC leaders and staff decided to publish a clear, well written booklet that explains patients rights under the Discharge Planning Act. MSAC decided to expand the booklet to also include protections provided by federal Medicare statute against denial of acute care hospital care treatment. Over the course of a ten month period, various drafts were circulated to seniors, lawyers, providers, hospital and insurance representatives as well as the staff of various regulatory bodies. Simultaneously, proposals were submitted for funding to cover publication and distribution costs.

Finally, last summer MSAC's Patients Rights booklet was printed. The book has been universally well received as tens of thousands of copies have been printed and distributed throughout the state. Seniors, younger family members, social service workers, hospitals and even lawyers typify the range of requests for the Patients Rights booklet.

## **Medex/Medigap Insurance**

In the summer of 1989, Blue Cross-Blue Shield requested a 40% increase in the premiums for Medex, the health insurance purchased by 400,000 Massachusetts seniors to





Members of the Statewide Health Care Committee attended many legislative hearings and held rallies in protest of Medex rate increases.

supplement Medicare. Since Medicare covers less than 50% of out-of-pocket expenses for the elderly, supplemental insurance is particularly critical.

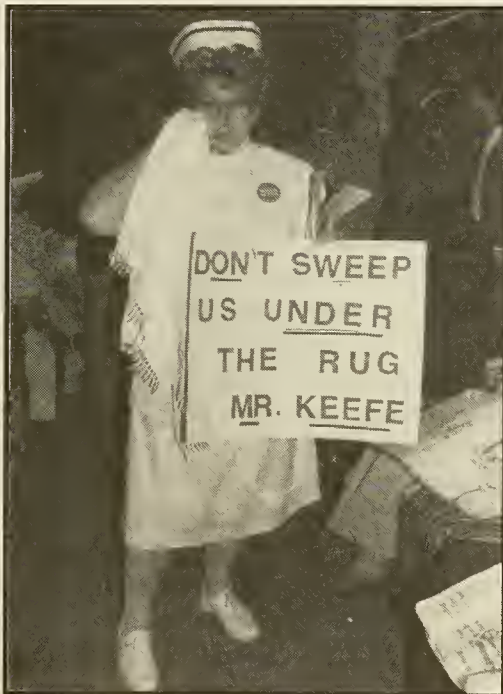
When Congress (ill-advisedly) repealed most of the provisions of Medicare's catastrophic health coverage in December, Blue Cross Blue-Shield requested an additional 35% rate hike to cover the costs of benefits no longer included in Medicare.

In January of 1990, the state Insurance Commissioner granted Blue Cross-Blue Shield a whopping 67% price increase in Medex premiums. Within the first five months, more than 5000 seniors dropped their insurance and more than 20,000 downgraded to less comprehensive coverage, often losing their prescription drug benefit. Tens of thousands of other low income seniors are struggling to pay their premiums. Many MSAC members are like Mary Enos of New Bedford who, with an annual income of just under \$7,000, is panicked about paying for her insurance premiums. To the elderly (as well as for most people) health insurance is not a luxury. Just as

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seniors will do most anything to pay their telephone, heat and rent bills, most older people will go to great lengths to retain their health insurance.

Since the latter months of 1989, MSAC has been working to assure affordable health insurance. At first MSAC intervened in opposition to the rate filing of Blue Cross-Blue Shield. Since January, Senior Action leaders have been in the forefront of a campaign to reform the elderly supplemental insurance market. MSAC has been working with state legislators and regulators to fashion a program that would provide affordable health insurance for all low and moderate income seniors--both those currently struggling with expensive premiums and those who have already dropped out of the supplemental insurance market. MSAC's Board has decided to seek funding to produce a Medigap Insurance Options booklet to help seniors to understand the various health insurance options available to them.



Poorly planned hospital discharges and inadequate aftercare services were major concerns for elders. MSAC members fought for and won patient protections.

## **Economic Literacy**

The current wrangling over the state budget has left seniors very confused and concerned. How much will my Medicaid and homecare benefits be cut? How will my tax liability be affected? Will my property taxes really be reduced? What are some equitable yet effective solutions to the state's financial crisis? Beginning in the fall of 1989, MSAC conducted several training sessions and retreats for the top senior leadership of the organization. MSAC leaders have participated in statewide conferences, and basic background information has been distributed to the membership.

Starting in the summer of 1990, in cooperation with community, religious and labor groups, MSAC will develop and distribute more comprehensive literature to seniors throughout the Commonwealth. In addition, local chapters will hold regional meetings at which time explanations will be presented about both state fiscal policy, and upcoming legislative referendum proposals for reform.

## **Health Care Provider Contracts**

Over the last year, MSAC has negotiated several important provider contracts offering benefits to MSAC members.

In the fall of 1989, MSAC and Boston's Brigham & Women's Hospital signed a far reaching agreement. The hospital agreed to provide elderly patients with a written discharge plan 48 hours prior to discharge, twice the legal notification required. The hospital also agreed to improve multi-lingual services and to eliminate most out-of-pocket charges for low income elders. This agreement brought the number of contracts negotiated with Massachusetts hospitals to six.

In September of 1989, MSAC's Western Mass. Chapter held a regional meeting attended by 150 seniors. Dr. Alton Lamont of Cambridge Eye Doctors, was invited to address concerns about the high cost of eye care, most of which is not covered by Medicare. Dr. Lamont immediately agreed to negotiate with Virginia Dressell, co-chair of MSAC's Western Mass. Chapter.





After many months of negotiations, Watertown Chapter members christened a pedestrian crossing light.

## Local Issues

MSAC's local and regional chapters have continued with local campaigns on issues of concern. To give but a few examples, the Watertown Chapter was finally able to hold a celebration as pedestrian crossing lights were installed on Arsenal Street in front of the Arsenal elderly housing development. No longer do local elders have to hustle across the street to avoid being hit.

In Greenfield, MSAC's Franklin County Chapter has taken the initiative on a number of fronts. Senior Action members have been helping tenants who live in an "expiring use" building to organize support for retaining their complex as subsidized housing. Under federal law, owners of federally subsidized housing developments can pay their federally insured mortgage after twenty years (20 years short of the original 40 year mortgage). Senior Action members have engaged in community education efforts and have tried to negotiate with management.



Also, more recently, MSAC members took a very visible role in support of a local Greenfield Proposition 2 1/2 override vote. The local media was surprised to find a group of seniors advocating for support of local education and youth programs and willing to pay for services for another generation.

## **Grassroots Fundraising**

Mass. Senior Action Council continues to strive to achieve greater financial self-sufficiency. At all levels of the organization, priority is placed on community based fundraising efforts.

**Membership:** In a notable new departure, MSAC's Board decided to develop membership benefits in a venture to broadly increase its membership base. A five year goal was set for a dramatic increase in the organization's membership. As mentioned, MSAC has negotiated membership exclusive agreements with Cambridge Eye Doctors and several independent pharmacies. MSAC has also negotiated a contract with an attorney specializing in elder law issues; providing reduced fees for Senior Action members. And most recently, a tentative agreement was reached with a statewide energy conservation organization for reduced home heating oil charges.

MSAC hopes to leverage the purchasing power of older citizens to create meaningful discounts on services and goods used by older people. MSAC also hopes to continue providing its members with quality and understandable information such as the Patients Rights booklet and the planned Medigap Options booklet. It is hoped that these efforts will steadily bring in more members.

**Major Donor:** The Senior Action Council has also continued its effort to identify individuals and institutions willing and able to make significant contributions to the organization.

MSAC has continued with its Annual Lifetime of Activism Awards Dinner. In 1989, MSAC honored John Kenneth

Galbraith, Elma Lewis, Ralph Fasanella and Michael Harrington. This past spring, MSAC honored Dr. Benjamin Spock, Ruth Batson, Bernice Weissbourd and Dr. Kenneth Clark—all individuals who have made significant contributions in the areas of child and family policy.

Over the last three years, thousands of individuals and institutions have made contributions to the Senior Action Council. Over the last two years, the Senior Action Council netted approximately \$20,000 each year on the Lifetime of Activism fundraiser. The event has been well received and has introduced the Senior Action Council to hundreds of new supporters.

For the first time, this fall, MSAC will conduct an individualized major donor campaign, identifying people who are willing to make significant commitments to the work of the Mass. Senior Action Council.

## **Into The Future**

MSAC has a very ambitious agenda for the coming year. Statewide, members of the Senior Action Council will be focussing on the critical issue of the skyrocketing cost of supplemental (medigap) insurance. Currently, more than 200,000 elders are unable to afford medigap insurance.

More specifically, MSAC will be prioritizing the following campaigns:

- \*\*Working to provide both a short term and a long term solution to the state's medigap insurance crisis.**

- \*\*Producing and distributing a medigap options booklet helping seniors to understand the array of health insurance options available. MSAC leaders and staff will proceed with a broad outreach effort including formal presentations and skits to community groups.**

- \*\*Training and supporting Boston elderly tenants as MSAC helps tenants work for improved security in accordance with the new Boston Senior Security Ordinance.**

- \*\*Coordinating a statewide economic literacy campaign to educate seniors about the budget and tax dilemmas facing the**

state, and the options available to prevent a devastating reduction in benefits and services.

**\*\*Fighting to preserve vital programs and benefits in the areas of health care, housing and social services.**

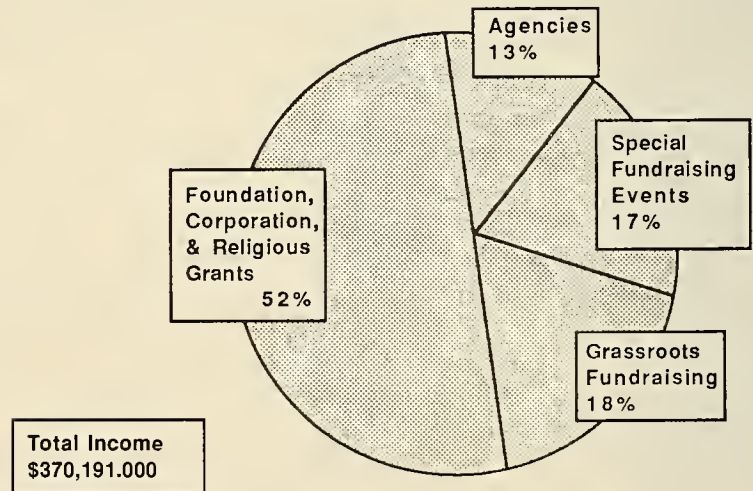
**\*\*Expanding and promoting MSAC's membership benefits to provide more meaningful services to MSAC members and to encourage new membership.**

**\*\*Supporting various local chapter campaigns around such issues as conversion of "Expiring Use" buildings to market rate, local transportation issues and efforts to override Proposition 2 1/2 to fund services and schools.**

**\*\*Expanding MSAC's major donor base and increasing the level of contribution that is being given by current supporters.**

## A Breakdown of MSAC Income

1989 - 1990





## Major Funders & Contributors

AETNA	Hotel & Restaurant
AT&T	Workers Union
Bank of Boston Corporation	Lotus Development
Bank of Boston Charitable	Corporation
Trusts	Mass. Federation of Nursing
Bank of New England	Homes
Bankers Life & Casualty	Massachusetts General
Ben & Jerry's Foundation	Hospital
Blue Cross & Blue Shield	Massachusetts Legal
Boston Commission on Affairs	Assistance Corporation
of the Elderly	Massachusetts Medical
Boston Foundation	Society
Boston Housing Authority	New England Medical Center
John W. Boynton Fund	New England Telephone
Brigham & Women's Hospital	Polaroid Foundation
Campaign for Human	Presbyterian Church
Development	Public Welfare Foundation
Campbell & Hall Charity Fund	A.C. Ratschesky Foundation
Carney Hospital	Sailor's Snug Harbor
Central Boston Elder Services	Shawmut Foundation
Coastline Elderly Services	Sheraton Corporation
Charles Stark Draper	Stern Family Fund
Laboratories	Stride Rite Charitable
Episcopal City Mission	Foundation
Episcopal Diocese of	Unitarian Universalist
Massachusetts	Veatch Program
Families U.S.A. Foundation	United Methodist Church
Farnsworth Trust	University Hospital
Faulkner Hospital	United Auto Workers
Fletcher Trust	Retirees
Franklin County Home Care	West Suburban Elder
Haymarket Peoples Fund	Services
Highland Valley Elder	Work Family Elder
Services	Directions



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Mina Hill  
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**BRISTOL COUNTY**

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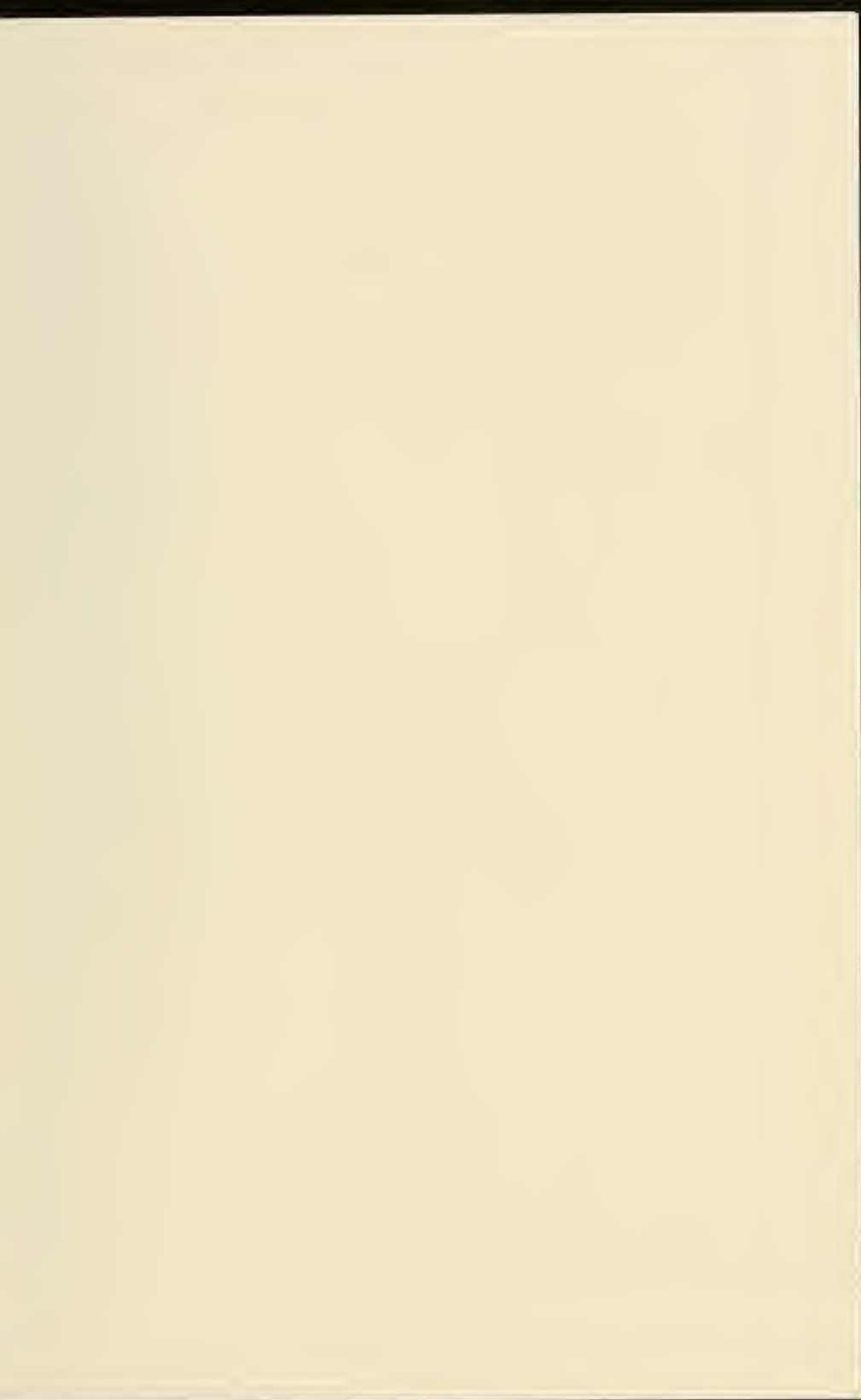
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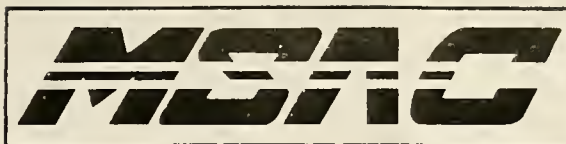




**Massachusetts Senior Action Council, Inc.**  
**277 Broadway**  
**Somerville, MA 02145**

**(617) 776-3100**





## Massachusetts Senior Action Council, Inc.

April 1991

Dear Friend,

In April of 1981 a small group of senior citizens in Everett banded together to try and do something about the many problems that plagued them and address these problems as a group.

They knew one voice is often not heard, but together through organizing, strategy and empowerment, many voices can shake the foundations of a society that would rather see the elderly quietly playing solitaire than see them teaming up for some political hardball!

This was the birth of an organization that would, ten years later, be the largest and most influential senior group in Massachusetts.

As Senior Action launches into it's tenth year of community and statewide campaigns, we do so with pride and celebration. Looking back over the past decade we are gratified to see that hard work really does have it's rewards.

Seniors must have determination. With a declining economy, budget cuts and elimination of vital services, the elderly are in a most vulnerable position. Our determination will help MSAC forge ahead and meet the challenges that threaten the quality of life of **all** citizens in this Commonwealth.

It is with pride that we send you our Annual Report. We want to take this opportunity to thank you for your support and share with you our many accomplishments. Most importantly, we want to let you know that we are still on the job!

Sincerely,

*Manny Weiner*  
Manny Weiner  
President

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